

# PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning and Zoning Regulations of Baltimore County, to use the herein described property for a Car Care Facility consisting of two buildings.  
One building to be a Car Wash with 5 self-service bays and one Automatic bay.  
The other building dedicated to auto polishing and waxing (service garage)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:  
HILLCREST INDUSTRIES  
(Type or Print Name)  
Signature  
640 Craigs Corner Rd.  
Address  
Havre de Grace, MD 21078  
City and State  
Attorney for Petitioner:  
(Type or Print Name)  
Signature  
Address  
City and State  
Attorney's Telephone No.:  
Address

Legal Owner(s):  
Charles W. Laubach  
(Type or Print Name)  
Signature  
(Type or Print Name)  
Signature  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Ray Smith  
640 Craigs Corner Rd.  
Havre de Grace, MD 21078 301/734-4593  
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of May, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 25th day of June, 1986, at 10:30 o'clock

Arnold Jablon  
Zoning Commissioner of Baltimore County.

(over)

ARNOLD JABLON, ZONING COMMISSIONER  
BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204

CARDINAL INDUSTRIES INCORPORATED  
333 S. Hammonds Ferry Road  
Glen Burnie, Maryland 21061

DON HACHEY  
Construction Division

(301) 760-7600

86-529-X  
Prot. ex 1 - 6 color photographs and a business card of Don Hachey, Cardinal Industries, Inc.



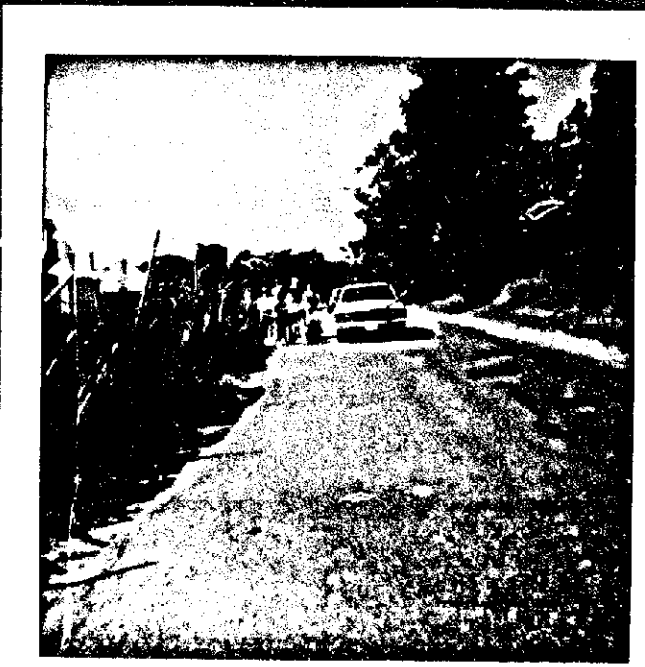
5 Prot ex 1



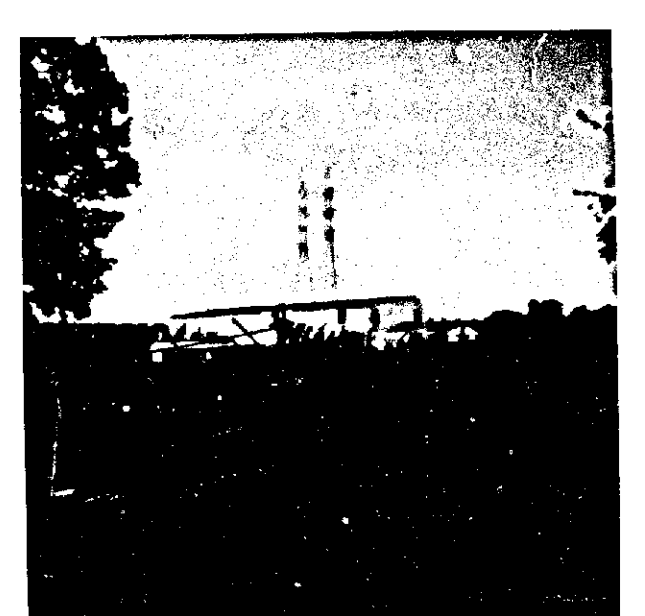
6 Prot ex 1



1 Prot ex 1



2 Prot ex 1



3 Prot ex 1



4 Prot ex 1

86-529-X

## BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 21st day of May, 1986.

Petitioner Charles W. Laubach  
Petitioner's Attorney

ARNOLD JABLON  
Zoning Commissioner

Received by: James E. Dyer

Chairman, Zoning Plans Advisory Committee

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
TO: Zoning Commissioner

Date: June 16, 1986

FROM: Norman E. Gerber, AICP  
Director, Office of Planning & Zoning

SUBJECT: Zoning Variance Petition No. 86-529-X Charles W. Laubach

In view of the adjacent residential areas to the south and east, this office does not believe the proposed use is an appropriate one at this location. Both the type of use and the number of automobiles that would be expected to use this facility would be incompatible with the adjacent residences. It is therefore requested that the petition be denied.

Norman E. Gerber, AICP  
Norman E. Gerber, AICP

NEG:JGH:bjs

CPS-008

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 19, 1986

Mr. Charles W. Laubach  
5852 N. Hazelwood Avenue  
Baltimore, Maryland 21206

Item No. 400 - Case No. 86-529-X  
Petitioner - Charles W. Laubach  
Special Exception Petition

Dear Mr. Laubach:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information of your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer  
James E. Dyer  
Chairman  
Zoning Plans Advisory Committee

JED:hac

Enclosures

cc: Mr. Ray Smith  
640 Craigs Corner Road  
Havre de Grace, Md. 21078

Arthur P. Leonard  
25 W. Courtland Street  
Bel Air, Maryland 21014

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

JUNE 2, 1986

Re: Zoning Advisory Meeting of May 13, 1986  
Item 400 CHARLES W. LAUBACH  
Location: W/S ROOSEVELT AVE. 175' N. OF E UTRICHT AVE.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☐ There are no site planning factors requiring comment.
- ☐ A County Review Group Meeting is required.
- ☐ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☐ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☐ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☐ The access is not satisfactory.
- ☐ The circulation on this site is not satisfactory.
- ☐ The parking arrangement is not satisfactory.
- ☐ Parking calculations must be shown on the plan.
- ☐ If the property contains soils which are defined as wetlands, and development in or alteration of the floodplain is prohibited under the provisions of Section 22-59 of the Development Regulations.
- ☐ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☐ The Amended Development Plan was approved by the Planning Board on 5/13/86.
- ☒ Landscaping: Must comply with Baltimore County Landscape Manual, 8111 123-72. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The Certificate is issued by the Planning Board.
- ☐ The property is located in a traffic area controlled by a 100' level intersection as defined by 211 123-72. The 100' level intersection is not a traffic area controlled by a 100' level intersection as defined by 211 123-72. The 100' level intersection is not a traffic area controlled by a 100' level intersection as defined by 211 123-72.

ADJUDICATE OF CRG PLAN/PROCESS WAS GRANTED BY THE PLANNING BOARD ON MAY 13, 1986 - SEE PLANS 86-110 CRG

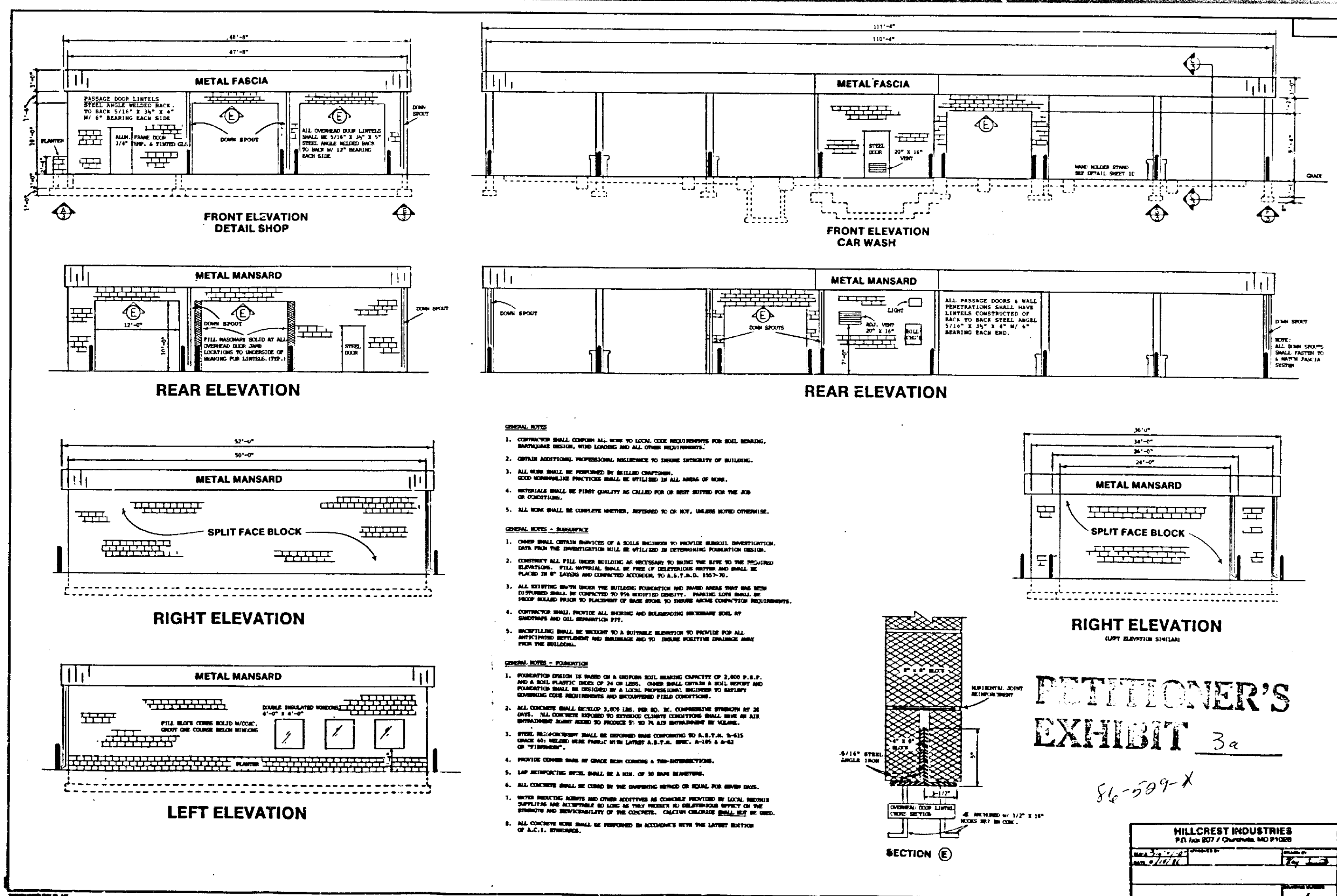
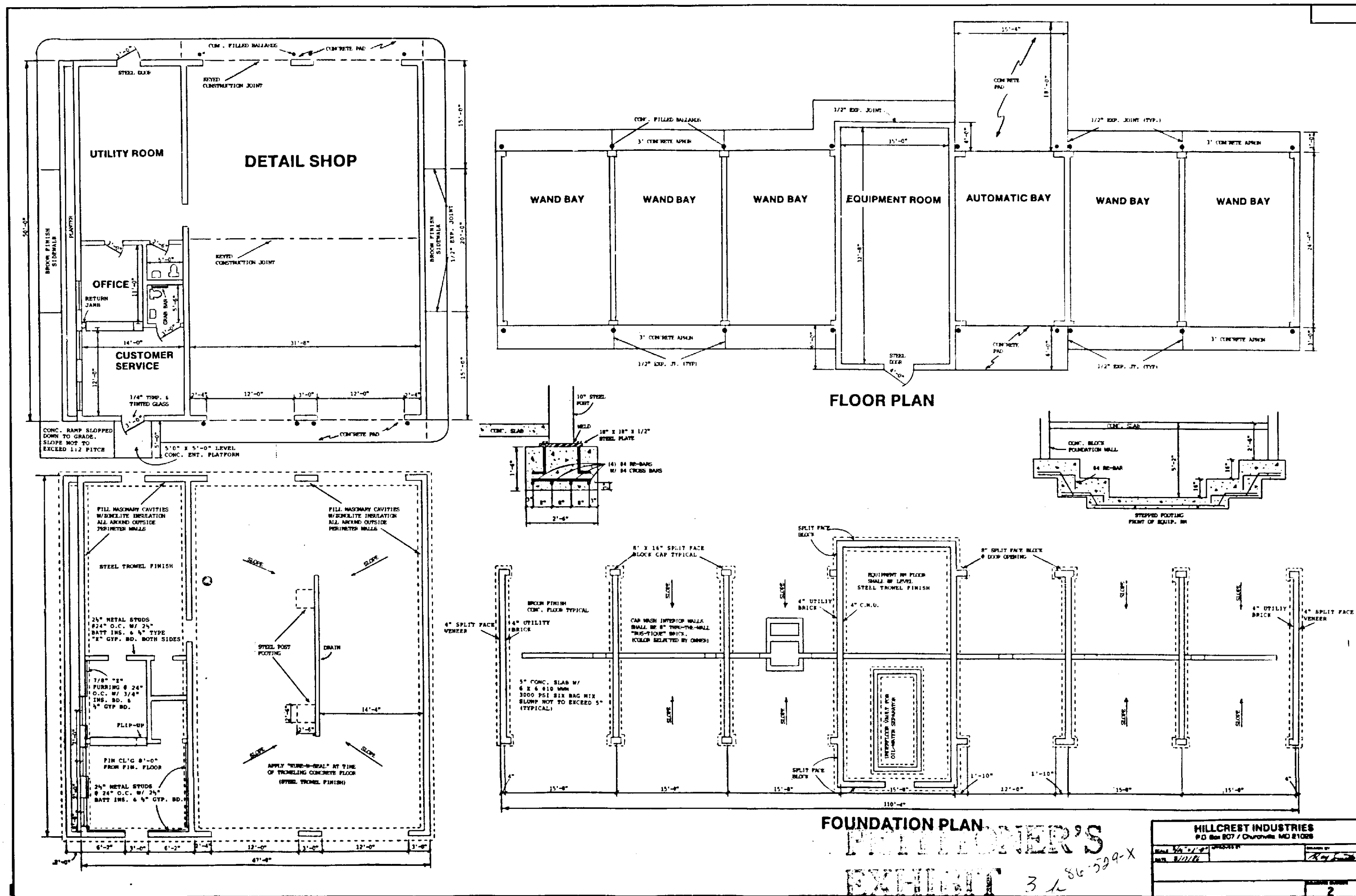
cc: James Howell

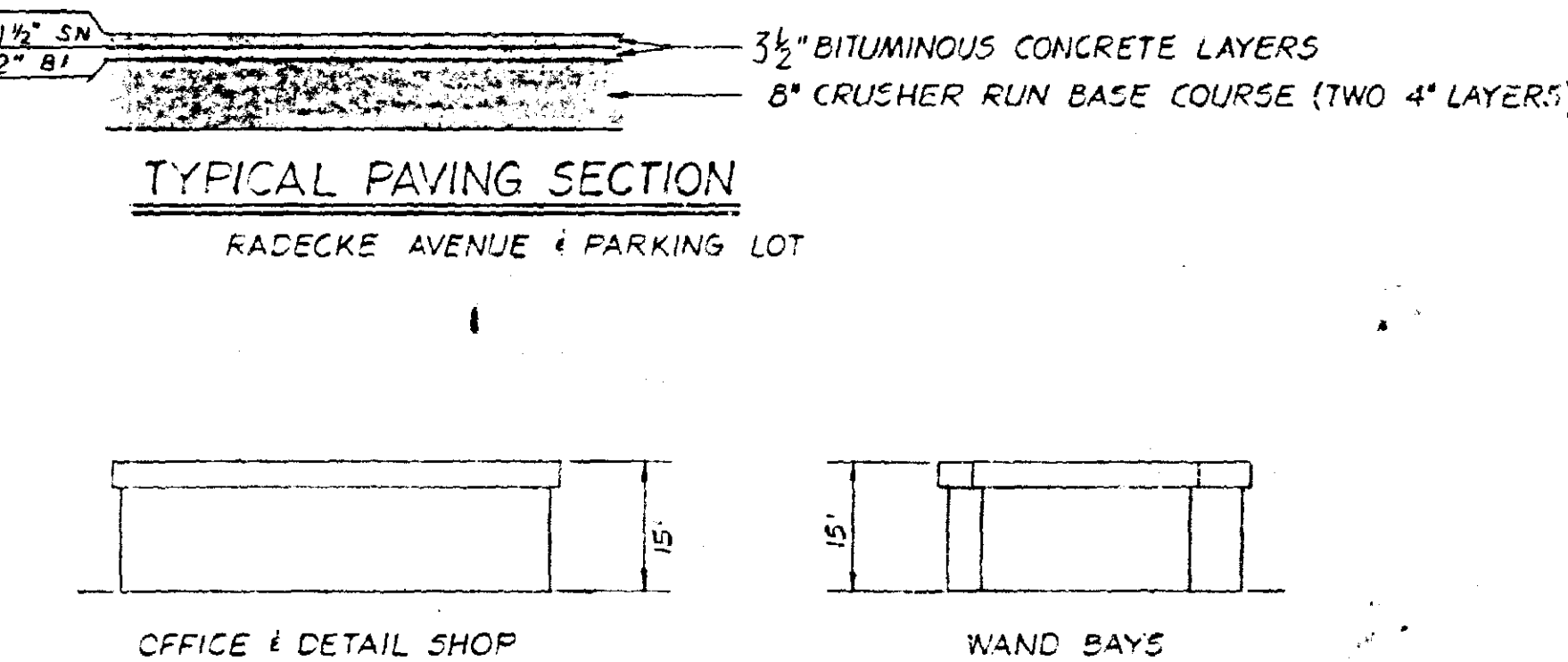
Norman E. Gerber  
Chief, Current Planning and Development



James Gold	5778 Utrecht Rd	866-5741
Bonnie Gold	5778 Utrecht Rd	866-5749
Susan Greenwood	5702 Utrecht Rd	866-5057
Kathy Williams	5689 Utrecht Rd	866-2745
Nora Williams	5689 Utrecht Rd	866-2745
Herman Williams	5659 Utrecht Rd	866-2745
Victoria A King	5774 Utrecht Rd	866-5728
Beilie King	5774 Utrecht Rd	866-5728
Susan King	5774 Utrecht Rd	866-5728
Jack King	5743 Cynthia Ter	866-2265
James Bif	15 Baymans Ct	866-1893
Hope Johnson	25 Baymans Ct	866-8635
James Jones	5753 Utrecht Rd	866-5376
Ruth Byron	5617 Ardmore Rd	866-6116
Ruth Blittman	5625 Ardmore Rd	866-4291
Megan Smart	5413 Cynthia Ter	866-6823
Robert B Persing	6214 Radecke Ave	866-5263
Janet Novak	5770 Utrecht Rd	866-5645
Judy Sirochman	6224 Radecke Ave	866-63563
Catherine Ecker	6212 Radecke Ave	866-2712
Ronald Jericho	5745 Utrecht Rd	483-2375
Maryland Jericho	5745 Utrecht Rd	483-2375
Barry & Jeff	5759 Utrecht Rd	866-5073
Joe & Smith	6159 Radecke Ave	866-6953
DAVE SPENCE	5756 UTRICHT RD	866-3034

Prot. 2





HEIGHT TENT  
NO SCALE

PARKING DATA (ALL SPACES SIZE 9'x20')

NUMBER OF VEHICLES CAPABLE OF BEING PROCESSED

Wand Bays 12 minutes = 3 cars per 1/2 hour per bay  
5 Wand Bays X 3 cars per bay = 15 cars per 1/2 hour  
Automatic Bay 5 minutes = 6 cars per 1/2 hour  
TOTAL VEHICLES FOR CAR WASH = 21 per 1/2 hour  
Plus 10 = 31 SPACES REQ'D.  
15 57 31 SPACES PROVIDED  
HANDICAPPED SPACE PROVIDED (2' x 20')

DETAIL SHOP - Scheduled by appointment.  
- 2425 SQ. FT. @ 1 SPACE PER 300 SQ. FT. = 8.08 SPACES REQUIRED  
- 9 SPACES PROVIDED INCLUDING 4 SPACES INSIDE BUILDING  
- SPACES MARKED BY "A"

PETITIONER'S  
EXHIBIT /

**PLAT TO ACCOMPANY PETITION  
FOR SPECIAL EXCEPTION**

1.053 ACRE PARCEL OF LAND  
14TH ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND  
SCALE: 1"=20'      DATE: 4-2-86

# 400  
1 sign  
86-221-X

OFFICE COPY

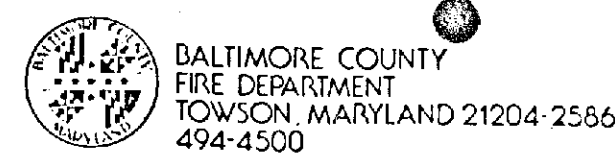
PREPARED BY:  
ARTHUR E. LEONARD, P.E.  
25 W. COURTLAND STREET  
BEL AIR, MD. 21014  
879-6105



4-7-86



Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations



PAUL H. REINCKE  
CHIEF

May 20, 1986

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Charles W. Laubach

Location: W/S Radecke Ave., 175' N. of centerline of Utrecht Avenue

Item No.: 400 Zoning Agenda: Meeting of 5/13/86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

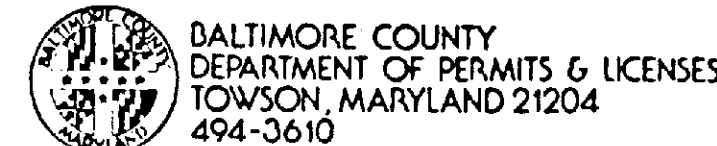
(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comment at this time.

REVIEWER: Noted and Approved: John F. O'Neill  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/mb



May 19, 1986

TED ZALESKI, JR.  
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 400 Zoning Advisory Committee Meeting are as follows:

Property Owner: Charles W. Laubach  
Location: W/S Radecke Avenue, 175 feet N of c/l Utrecht Avenue  
District: 14th.

APPLICABLE STANDARDS ARE COVERED:

( ) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Sanicapped and Aged (A.M.C. #17-1) - 1980 and other applicable Codes and Standards.

( ) A building and other miscellaneous permits shall be required before the start of any construction.

( ) Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

(X) Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

( ) All Fire Groups except 2-4 Single Family detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 8'-0" to an interior lot line. 2-4 Fire Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 101.1, Section 101.2 and Table 102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

( ) The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.

( ) The requested variance appears to conflict with Section(s) \_\_\_\_\_ of the Baltimore County Building Code.

( ) When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use \_\_\_\_\_ to Use \_\_\_\_\_ or to Mixed Use \_\_\_\_\_. See Section 312 of the Building Code.

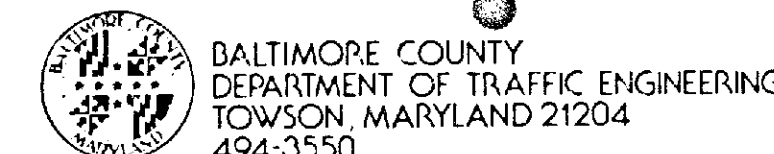
( ) The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevation above sea level for the lot and the finished floor levels including basement.

J. Comments:

( ) These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

By: C. E. Burman, Jr.  
Building Plans Review

4/27/86



STEPHEN E. COLLINS  
DIRECTOR

June 18, 1986

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 400 -ZAC-  
Property Owner:  
Location:

Existing Zoning:  
Proposed Zoning:

Acres:  
District:

Dear Mr. Jablon:

To reduce congestion, this site should have only one access point.

Meeting of May 13, 1986  
Charles W. Laubach  
W/S Radecke Avenue, 175 feet N of  
centerline Utrecht Avenue  
B.L.  
Special Exception for a car care  
facility consisting of two buildings.  
One building to be a car wash with  
5 self-service bays and one automatic  
bay. The other building dedicated to  
auto polishing and waxing. (Service  
Garage)  
1.053 acres  
14 Election District

Very truly yours,

Michael S. Flanigan  
Traffic Engineer Associate II

MSF:lt

86-529-X  
14th

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Zoning Item # 400, Zoning Advisory Committee Meeting of May 13, 1986

Property Owner: Charles W. Laubach

Location: W/S Radecke Ave., 175' N of c/l Utrecht Ave. District 14th

Water Supply Public Sewage Disposal Public

COMMENTS ARE AS FOLLOWS:

( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.

( ) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.

( ) A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

( ) A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.

( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.

( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.

( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Zoning Item # 400 Zoning Advisory Committee Meeting of May 13, 1986  
Page 2

( ) Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.

( ) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.

( ) Soil percolation tests (have been/must be) conducted.  
( ) The results are valid until \_\_\_\_\_  
( ) Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.

( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.

( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test

( ) is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.

( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.

( ) If submission of plans to the County Review Group is required, a Hydro-geological Study and an Environmental Effects Report must be submitted.

(X) Others: Petitioner will have to apply for a Wastewater Treatment System Permit. For additional information contact Gary Spies, Bureau of Utilities at 666-7530.

Ian J. Forrest, Director  
BUREAU OF ENVIRONMENTAL SERVICES

WWQ 2 4/86

County Board of Appeals  
Court House  
Towson, Md. 21204

January 17, 1987

RE: Petition Special Exception W/S of Radecke Ave.  
175-north of the C-1 of Utrecht Road  
14th Election District  
Case #86-529-X; also grant of special exceptions

Gentlemen:

This letter is to inform you that I, a resident of the Holland Hill Community, am opposed to the building of a Buff and Shine car wash facility on the property fronting on Radecke Ave. behind the Hazelwood Inn.

This portion of Radecke Ave. begins off of Hazelwood Ave., runs along the parking lot of the Hazelwood Inn, and dead ends in our community. It is an access road into and out of our community. It is a route taken by school buses transporting our children to and from elementary, middle, and high schools our children attend. It is also the route many of us walk to catch the bus on Hazelwood Ave. At the site of the property the road is narrow and has no sidewalks.

The Holland Hill Community is a row home community with many families with young children in residence. There are no rental properties in our community. We own our homes and care greatly about the neighborhood environment. The construction of a Buff and Shine car wash facility at the above mentioned site will in my estimation cause an overload of stress on the portion of Radecke Ave. which is utilized heavily by our community as an access road. I fear that this stress, in the form of more traffic, will lead to a safety hazard in our community as this is an already busy access road.

Again, I am highly opposed to construction of a Buff and Shine car wash facility on the property fronting on Radecke Ave. behind the Hazelwood Inn.

Sincerely,

Emily Cavender  
Signed

5430 Cypress Lane  
Address

Baltimore, Md. 21206  
City-State-Zip

P.S. Put your address on petition. Would you want a car wash in your residential community?

County Board of Appeals  
Court House  
Towson, Md. 21204

January 17, 1987

RE: Petition Special Exception W/S of Radecke Ave.  
175-north of the C-1 of Utrecht Road  
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Again, I am highly opposed to construction of a Buff and Shine car wash facility on the property fronting on Radecke Ave. behind the Hazelwood Inn.

Sincerely,

Emily Cavender  
Signed

5711 Whitley Rd.  
Address

Baltimore, Md. 21206  
City-State-Zip

RECEIVED  
COUNTY BOARD OF APPEALS  
JAN 31 1987

12-4-88



2-4-88



2-4-8.







116/11/11  
RECEIVED  
PETITION FOR SPECIAL EXCEPTION : EST. FEB-3 1986  
W/S of Radecke Ave., 175' : OFFICE Before The  
N. of the C/L of Utrecht : County Board  
Ave., 14th District : of Appeals  
Charles W. Laubach, Petitioner : Case No. 86-529X

SUBPOENA DUCES TECUM

Please issue Subpoena Duces Tecum and serve same on Michael Flanagan, Department of Traffic Engineering, Room 105 New Courts Building, Towson, Maryland 21204, or any other authorized person to be and appear before the County Board of Appeals in Room No. 218 Court House on February 10, 1987 at 10:00 a.m. and to bring with him any and all records, studies, documents, traffic counts and any other material, written or otherwise, having to do with the traffic congestion at the above location in connection with the above Petition for Special Exception. Said official is to appear and testify for the Holland Hills Improvement Association, protestant. This Subpoena Duces Tecum shall be deemed continuing until such time as this case is heard and shall be issuable as against any authorized person having custody of such records and documents.

*Ernest A. Sciascia*  
ERNEST A. SCIASCIA, Attorney for  
Holland Hills Improvement Association  
5937 Daybreak Terrace  
Baltimore, Maryland 21206  
(301) 866-8631

Mr. Sheriff:  
Please issue the above summons.

*Kate W. Dwyer*  
Administrative Secretary  
County Board of Appeals

COST \$ 15.00  
SUMMONS 2/11/86 1927  
RECEIVED 19  
RECEIVED 19

OFFICE OF BALTIMORE COUNTY  
FEBRUARY 10, 1987

10/22/86 - NOTIFIED THE FOLLOWING OF HEARING SET FOR TUESDAY, Febr 10, 1987 at 10 a.m.

Mr. Raymond Smith  
Mr. Charles W. Laubach  
Mr. Joseph Newberger  
Mr. Gerald Robinson  
Phyllis C. Friedman, Esq.  
Norman E. Gerber; James Hoswell  
Arnold Jablon; Jean M. H. Jung; James E. Dyer; Margaret E. duBois

PETITION FOR SPECIAL EXCEPTION  
W/S of Radecke Ave., 175' N of the c/l  
of Utrecht Ave.  
14th Election District  
Charles W. Laubach - Petitioner  
Case No. 86-529-X  
Date Appeal Filed: 8/7/86

SE--For a car care facility consisting of two buildings. One building to be a car wash with 5 self-service bays and one automatic bay. The other building dedicated to auto polishing and waxing. (service garage)

1. Copy of Petition
2. Copy of Description of Property
3. Copy of Certificate of Posting
4. Copy of Certificates of Publication
5. Copy of Zoning Advisory Committee Comments
6. Copy of Comments from the Director of Planning
7. Copy of Order to Enter Appearance
8. Copy of Order of Deputy Zoning Commissioner - 7/22/86 - GRANTED, Subject to restrictions
9. Protestants' Exhibits 1 to 3  
Protestants' Exhibit 1 - Six color photographs, undated and business card of Don Hachey, Cardinal Industries, Inc.  
[ORIGINALS SENT TO BOARD OF APPEALS - NO COPIES RETAINED IN ZONING FILE]  
Protestants' Exhibit 2 - Copy of Order of Deputy Zoning Commissioner of Baltimore County, dated 2/27/86, in Case No. 86-321-X; Copy of letter from Paul J. Feeley to Larry Kopp, dated 3/7/86; and Copy of letter from Norman E. Gerber to Larry Kopp, dated 3/21/86  
Protestants' Exhibit 3 - List of Protestants of Meeting of 6/25/86
10. Petitioner's Exhibits 1 to 3  
Petitioner's Exhibit 1 - Copy of Plat to Accompany Petition for Special Exception  
Petitioner's Exhibit 2 - Copy of Artist's sketch  
Petitioner's Exhibit 3a - Copy of plat of right, left, front and rear elevation  
Petitioner's Exhibit 3b - Copy of Plat of floor, foundation and detail plan
11. Copy of letter of Appeal of Appellants/Petitioner/Contract Purchaser, received on 8/7/86
12. Copy of Cash Receipt No. 021821, dated 8/12/86, re appeal and sign posting fee
13. Copy of letter to all parties from Arnold Jablon, Zoning Commissioner, advising of the filing of an appeal

86-529-X Continued

Mr. Raymond Smith  
Hillcrest Industries  
P.O. Box 207  
Churchville, Maryland 21028

Appellant/Contract Purchaser

Mr. Charles W. Laubach  
5852 North Hazelwood Avenue  
Baltimore, Maryland 21206

Appellant/Petitioner

Mr. Joseph Newberger  
Vice President  
Holland Hill Improvement  
Association, Inc.  
5623 Arnhem Road  
Baltimore, Maryland 21206

Appellee/Protestant

Mr. Gerald Robinson  
President  
Holland Hill Improvement  
Association, Inc.  
5650 Leiden Road  
Baltimore, Maryland 21206

Appellee/Protestant

Phyllis C. Friedman, Esquire  
Norman E. Gerber  
James Hoswell  
Arnold Jablon  
Jean M. H. Jung  
James E. Dyer  
Margaret E. du Bois, Appeals Clerk,  
Zoning Office

People's Counsel

Request Notification  
" "  
" "  
" "  
" "

Mr. Ernest A. Sciascia  
5937 Daybreak Terrace  
Balto., MD. 21206

Counsel for Holland Hills Imp. Ass.

- 2 -

PETITION FOR SPECIAL EXCEPTION  
W/S of Radecke Ave., 175' N of the c/l  
of Utrecht Ave.  
14th Election District  
Charles W. Laubach - Petitioner  
Case No. 86-529-X  
Date Appeal Filed: 8/7/86

ADDENDUM SHEET

9/2/86 The following material transmitted to Baltimore County Board of Appeals

1. Letter from Mrs. Bridget Hutchinson to Zoning Commissioner, dated 8/22/86
2. Letter from Robert Hutchinson to Zoning Commissioner, dated 8/22/86

Hillcrest Industries  
P. O. BOX 207 CHURCHVILLE, MD. 21028  
CHURCHVILLE (301) 734-4593 BALTIMORE (301) 879-9878

August 7, 1986

Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, MD 21204

RE: Appeal to imposed  
restriction - Case No. 86-529-X  
Partitioner: Charles W. Laubach  
Contract Purchaser: Hillcrest Industries

Dear Mr. Jablon

We wish to appeal the decision of the Deputy Zoning Commissioner regarding certain of the imposed restrictions.

Very truly yours

*Ray Smith*  
Ray Smith  
Contract Purchaser

Charles W. Laubach  
Partitioner

*Charles W. Laubach*  
5852 N. Hazelwood Ave.  
Baltimore, Md. 21206

ERNEST A. SCIASCIA

Attorney at Law

5937 DAYBREAK TERRACE  
BALTIMORE, MARYLAND 21206  
TELEPHONE 866-8631  
AREA CODE 301

October 27, 1986

County Board of Appeals of Baltimore County  
Room 200 Court House  
Towson, Maryland 21204

Attention: Mr. William T. Hackett, Chairman

Re: Case No. 86-529X

Dear Sir:

Please enter my appearance as attorney for Holland Hills Improvement Association, Inc., in the above entitled case.

Yours very truly,

*Ernest A. Sciascia*  
ERNEST A. SCIASCIA

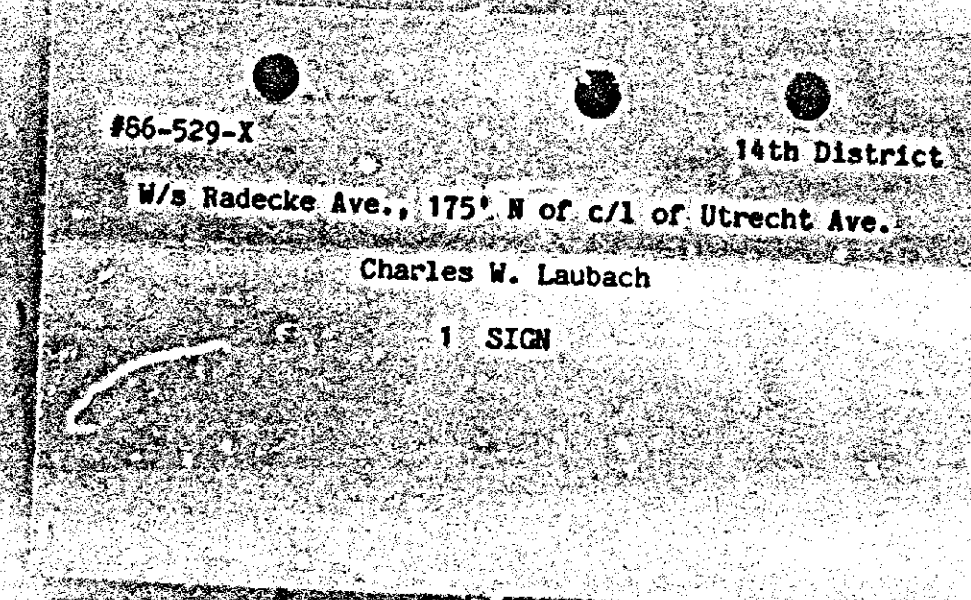
EAS/ms

cc: Mr. Gerald Robinson, President  
Holland Hills Improvement Assoc., Inc.  
5650 Leiden Road  
Baltimore, Maryland 21206

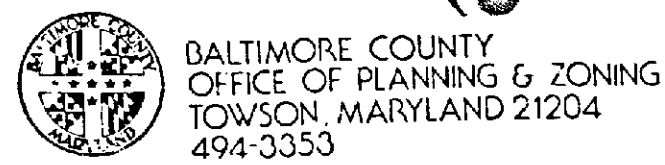
RECEIVED  
COUNTY BOARD OF APPEALS  
FEB OCT 29 P 11 21

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 14th Date of Posting: 8/22/86  
Posted for: Charles W. Laubach  
Petitioner: Charles W. Laubach  
Location of property: W/S Radecke Ave., 175' N of Utrecht Ave.  
Location of Signs: Along Radecke Ave., near S. E. modern  
Remarks: on property of Petitioner  
Posted by: *Phyllis C. Friedman* Date of return: 8/22/86  
Signature  
Number of Signs: 1







ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

July 22, 1986

Mr. Charles W. Laubach  
5852 N. Hazelwood Avenue  
Baltimore, Maryland 21206

RE: Petition - Special Exception  
W/S of Radecke Avenue, 175' N of  
the C/L of Utrecht Ave., 14th  
Election District  
Case No. 86-529-X

Dear Mr. Laubach:

I have this date passed my Order in the above referenced Petition for Special Exception in accordance with the attached.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

*JEAN M. H. JUNG*  
JEAN M. H. JUNG  
Deputy Zoning Commissioner

JMH:jbj

Attachments

cc: Mr. Raymond Smith  
Hillcrest Industries  
643 Craig's Corner Road  
Havre de Grace, Maryland 21078

Mr. Joseph Newberger, Vice President  
Holland Hill Improvement Assoc., Inc.  
5623 Arnsheim Road  
Baltimore, Maryland 21206

People's Counsel



**Hillcrest Industries**  
P.O. BOX 207 CHURCHVILLE, MD. 21028  
CHURCHVILLE (301) 734-4593 BALTIMORE (301) 879-9878

April 30, 1986

PROPERTY DESCRIPTION  
1.053 acre parcel of land

BEGINNING for the same at a point on the West side of Radecke Avenue (100 feet wide) 175 feet North of the centerline of Utrecht Ave. and thence running along a fence as now surveyed for the new lines of division through the lands of Robert E. Joy as described in a deed dated May 5, 1966 and recorded among the land records of Baltimore County in liber 4613 folio 585 the six following courses and distances viz: (1) South 74° 15' 35" West 316.98 feet to a fence post heretofore planted (2) North 01° 26' 45" East 188.10 feet to a fence post heretofore planted (3) North 87° 17' 25" East 287.76 feet to the West side of said Avenue thence continuing the same course North 87° 17' 25" East 5.33 feet to a fence post heretofore planted (4) South 06° 55' 10" East 114.98 feet to a fence post heretofore planted (5) South 74° 15' 35" West 6.51 feet to the place of beginning.

PETITION FOR SPECIAL EXCEPTION

14th Election District

Case No. 86-529-X

LOCATION: West Side of Radecke Avenue, 175 feet North of the Centerline of Utrecht Avenue

DATE AND TIME: Wednesday, June 25, 1986, at 10:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for a car care facility consisting of one building being a car wash with five self-service bays and one automatic bay and the other building being a service garage for auto polishing and waxing.

Being the property of Charles W. Laubach, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER  
W/S of Radecke Ave., 175' N of  
the C/L of Utrecht Ave., 14th : OF BALTIMORE COUNTY  
Distr.ct

CHARLES W. LAUBACH, Petitioner : Case No. 86-529-X  
: : : : : :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Phyllis Cole Friedman*  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

*Peter Max Zimmerman*  
Peter Max Zimmerman  
Deputy People's Counsel  
Room 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 10th day of June, 1986, a copy of the foregoing Entry of Appearance was mailed to Mr. Charles W. Laubach, 5852 N. Hazelwood Ave., Baltimore, MD 21206, Petitioner; and Mr. Raymond Smith, Hillcrest Industries, 640 Craig's Corner Rd., Havre de Grace, MD 21078, Contract Purchaser.

*Peter Max Zimmerman*  
Peter Max Zimmerman



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

June 17, 1986

Mr. Charles W. Laubach  
5852 North Hazelwood Avenue  
Baltimore, Maryland 21206

RE: PETITION FOR SPECIAL EXCEPTION  
W/S of Radecke Ave., 175' N of the c/l  
of Utrecht Ave.  
14th Election District  
Charles W. Laubach - Petitioner  
Case No. 86-529-X

Dear Mr. Laubach:

This is to advise you that \$53.00 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 117, 21204, before the hearing

Sincerely,

*Arnold Jablon*  
Arnold Jablon  
Zoning Commissioner

AJmed

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 021755

DATE June 23, 1986 ACCOUNT 01-615

AMOUNT \$ 63.80

RECEIVED FROM Hillcrest Industries

Posting & advertising fee 86-529-X

FOR Charles W. Laubach, Petitioner

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District 14th Date of Posting 5/31/86  
Posted for: Special Exception  
Petitioner: Charles W. Laubach  
Location of property: W/S Radecke Ave., 175' N of Utrecht Ave.  
Location of Sign: Facing Radecke Ave., across 2' E. side of property at intersection  
Remarks: \_\_\_\_\_  
Posted by: M. H. Jung Date of return: 6/6/86  
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 5, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on June 5, 1986.

THE JEFFERSONIAN,

*Jason Andrew Wilson*  
Publisher

Cost of Advertising

24.75

Petition for  
Special Exception

14th Election District  
Case No. 86-529-X

LOCATION: West side of Radecke Avenue, 175 feet north of the centerline of Utrecht Avenue.

DATE & TIME: Wednesday, June 25, 1986, at 10:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for a car care facility consisting of one building being a car wash with five self-service bays and one automatic bay and the other building being a service garage for auto polishing and waxing.

Being the property of Charles W. Laubach, as shown on plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

By Order Of  
Arnold Jablon  
Zoning Commissioner  
of Baltimore County

The Times

Middle River, Md., June 5, 1986

This is to Certify, That the annexed

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 5th day of June, 1986.

By Order Of  
Arnold Jablon  
Zoning Commissioner  
of Baltimore County

Mr. Charles W. Laubach  
5852 North Hazelwood Avenue  
Baltimore, Maryland 21206

May 27, 1986

NOTICE OF HEARING

RE: PETITION FOR SPECIAL EXCEPTION  
W/S of Radecke Ave., 175' N of the c/l  
of Utrecht Ave.  
14th Election District  
Charles W. Laubach - Petitioner  
Case No. 86-529-X

TIME: 10:30 a.m.

DATE: Wednesday, June 25, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

*Arnold Jablon*  
Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 019948

DATE 4/1/86 ACCOUNT 01-615

AMOUNT \$ 100.00

RECEIVED FROM HILLCREST INDUSTRIES

FOR FILING FEE FOR SPECIAL EXCEPTION ITEM 403

LAUBACH - PETITIONER  
8627-0000-1000018 83047

VALIDATION OR SIGNATURE OF CASHIER

2-4-88





BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

August 7, 1986

Mr. Ray Smith  
Hillcrest Industries  
P.O. Box 207  
Churchville, Maryland 21028

RE: APPEAL TO CASE NO. 86-529-X  
Petitioner: Charles W. Laubach  
Contract Purchaser: Hillcrest Industries

Dear Mr. Smith:

Enclosed is your Check No. 6271, in the amount of \$115.00, payable to Baltimore County, Maryland, concerning an appeal in this case. Please have the appropriate individual sign this check and return it to this office and we will be glad to process the appeal in this case.

Very truly yours,

*Margaret E. du Bois*  
Margaret E. du Bois  
Appeals Clerk  
Zoning Office

Enclosure

HILLCREST INDUSTRIES P. O. BOX 207 CHURCHVILLE, MD 21028		6271
AUGUST 7 1986		
PAY TO THE ORDER OF	BALTIMORE COUNTY, MARYLAND	\$115.00**
THE SUM IS DOLLARS		
maryland national bank CHURCHVILLE, MARYLAND 472		DOLLARS
FOR 86 529 X	*0006271* *055003272* 570 90 515 B*	



Hillcrest Industries  
P. O. BOX 207 CHURCHVILLE, MD 21028  
CHURCHVILLE (301) 734-4593 BALTIMORE (301) 879-9878

August 7, 1986

Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, MD 21204

RE: Appeal to imposed  
restriction - Case No. 86-529-X  
Partitioner: Charles W. Laubach  
Contract Purchaser: Hillcrest Industries

Dear Mr. Jablon

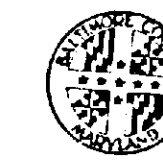
We wish to appeal the decision of the Deputy Zoning Commissioner regarding certain of the imposed restrictions.

Very truly yours,

*Ray Smith*  
Ray Smith  
Contract Purchaser

Charles W. Laubach  
Partitioner

*Charles W. Laubach*  
885 27 N. Howard Ave.  
Baltimore, Md. 21206



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

August 12, 1986

Mr. Joseph Newberger  
Vice President  
Holland Hill Improvement  
Association, Inc.  
5623 Arnhem Road  
Baltimore, Maryland 21206

Phyllis C. Friedman, Esquire  
People's Counsel  
Room 223 Courthouse  
Towson, Maryland 21204

Mr. Gerald Robinson  
President  
Holland Hill Improvement  
Association, Inc.  
5650 Leiden Road  
Baltimore, Maryland 21206

RE: PETITION FOR SPECIAL EXCEPTION  
W/S of Radecke Ave., 175' N of the c/l of  
Utrecht Ave.  
14th Election District  
Charles W. Laubach - Petitioner  
Case No. 86-529-X

Ms. Friedman and Gentlemen:

Please be advised that on August 7, 1986, an appeal was filed by Appellants/Contract Purchaser/Petitioner, Mr. Raymond Smith and Mr. Charles W. Laubach, from the decision rendered by the Deputy Zoning Commissioner of Baltimore County in the above-captioned matter.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 021821

of the appeal  
County Board of

DATE: 8/12/86 ACCOUNT: 86-529-X

AMOUNT \$ 115.00  
P.O. Box 207, Churchville, Md. 21028

RECEIVED FROM: Mr. Ray Smith, Hillcrest Industries

FOR: AND AS AID DEPT POSTING FOR DE CASE 86-529-X

VALIDATION OR SIGNATURE OF CASHIER

IN RE: PETITION - SPECIAL EXCEPTION  
W/S of Radecke Avenue, 175' N  
of the c/l of Utrecht Road  
14th Election District  
Charles W. Laubach  
Petitioner

BEFORE THE  
DEPUTY ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 86-529-X

The Petitioner herein requests a special exception to use the property at the above location to construct a car care facility consisting of two buildings. One building will be used as a car wash with five self-service bays and one automatic bay. The other building will be used for automobile polishing and waxing (service garage).

Testimony on behalf of the Petitioner indicated that the Contract Purchaser has spent two years in planning what he considers to be a high quality car wash and full-service detail shop for cleaning, buffing and shining automobiles. The four sides of the shop and the ends of the car wash building will be neutral or earth-tone, split-face block. The business will be located away from the heavy traffic of Hazelwood Avenue. The requirements of the Baltimore County Landscape Manual, including screening the perimeter of the site, will be met. It is his belief that replacing an old parking lot, which has been used as a dump, with an attractive business will be an asset to the community. In addition, washing a car at home requires twice the amount of water the business would utilize and that waste water is not treated. The noise level from high pressure water will be low and machinery noise will not extend beyond the buildings since a blower will not be used. Twenty-six more parking spaces than required by Baltimore County will be provided. Lights mounted 30 feet high, will be directed onto the property. Hours of operation are proposed to be from 8:00 AM to 10:00 PM, seven days a week with the possibility of a 24-

hour operation for the car wash at some point in the future. There will always be at least one attendant on site when the facility is in operation. The Contract Purchaser is willing to close off the area with some type of gate when the facility is not in use as well as to agree that the special exception shall be limited to facilities owned by Hillcrest Industries. No free-standing sign is proposed.

Testimony by a number of Protestants, including officers of the Holland Hill Improvement Association, Inc., indicated that there are currently traffic and safety problems that would be substantially aggravated if the special exception were granted. Radecke Avenue, with no sidewalks and a 26-foot wide paved roadway, is not proposed for widening. School buses, pedestrians and passing vehicles already have difficulty maneuvering along Radecke Avenue, one of only two access roads to the Holland Hill development, a high density but quiet neighborhood. Even the traffic in the 16-foot wide alley between the site and the residential neighborhood is heavy. Protestants are convinced that the proposed type of business is particularly objectionable and will cause a higher volume of traffic and more air and noise pollution than other businesses allowed in the zone by right or by special exception: i.e., the running of motors by waiting vehicles, radios, noise of water pressured hoses and machinery, etc., were some of the concerns expressed. In addition, a nearby existing car wash and a proposed new car wash were mentioned in connection with concern for the condition of the property should the business fail and the property be abandoned. The Office of the Director of Planning filed comments on the proposed project dated June 16, 1986 which stated: "In view of the adjacent residential areas to the south and east, this office does not believe the proposed use is an appropriate one at this location. Both the type of use and the number of automobiles that would be expected to use this facility would be

incompatible with the adjacent residences. It is therefore requested that the petition be denied."

Pursuant to the advertisement, posting of property and public hearing, and after due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, the requirements of Section 502.1 of the Baltimore County Zoning Regulations (BCZR) have been met, and the health, safety and general welfare of the community will not be adversely affected, and, therefore, the Special Exception should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 22<sup>nd</sup> day of July 1986, that the herein request for a special exception to construct a car care facility in accordance with the plan submitted, prepared by Arthur E. Leonard, P.E., dated April 7, 1986 and identified as Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- Hours of operation shall not extend beyond 8:00 AM to 8:00 PM, Monday through Saturday. At all other times, access to the site shall be prevented by chains or gates at the entrances or other suitable barricades.
- At least one attendant shall be on the property at any time any portion of the facility is in use.
- All work on vehicles shall be within the car wash bays or within the detail shop behind closed doors. No blower shall be used and noise shall not extend beyond the buildings.
- A sidewalk shall be constructed along the frontage of the site.
- A 12-foot wide strip of landscaping shall be provided along the entire southern property line and along the western property line for a distance of 100 feet north from the southwest corner of the site. Any perimeter fencing shall be laminated black chain link fencing. Landscaping and screening shall be approved by Current Planning which may approve wood strips in the chain link only on a temporary basis.

- If the car care facility is not in actual and continuous operation for a period exceeding twelve consecutive months, it shall be presumed to be abandoned and the use and special exception terminated. The premises (including landscaping) shall be continuously maintained whether it is in operation or abandoned.

*Jeannette M. H. Jung*  
Deputy Zoning Commissioner  
of Baltimore County



# PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning and Zoning Regulations of Baltimore County, to use the herein described property for a Car Care Facility consisting of two buildings.  
One building to be a Car Wash with 5 self-service bays and one Automatic bay.  
The other building dedicated to auto polishing and waxing (service garage)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:  
HILLCREST INDUSTRIES  
(Type or Print Name)  
Signature  
640 Craigs Corner Rd.  
Address  
Havre de Grace, MD 21078  
City and State  
Attorney for Petitioner:  
(Type or Print Name)  
Signature  
Address  
City and State  
Attorney's Telephone No.:  
Address

Legal Owner(s):  
Charles W. Laubach  
(Type or Print Name)  
Signature  
(Type or Print Name)  
Signature  
Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
Ray Smith  
640 Craigs Corner Rd.  
Havre de Grace, MD 21078 301/734-4593  
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of May, 1986, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 25th day of June, 1986, at 10:30 o'clock.

Arnold Jablon  
Zoning Commissioner of Baltimore County.

(over)

ARNOLD JABLON, ZONING COMMISSIONER  
BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204

CARDINAL INDUSTRIES INCORPORATED  
333 S. Hammonds Ferry Road  
Glen Burnie, Maryland 21061

DON HACHEY  
Construction Division

(301) 760-7600

86-529-X  
Prot. ex 1 - 6 color photographs and a business card of Don Hachey, Cardinal Industries, Inc.



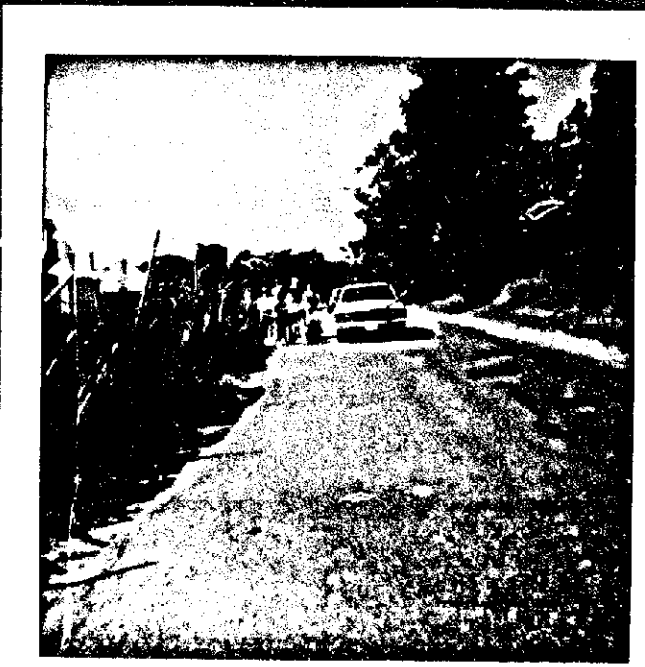
5 Prot ex 1



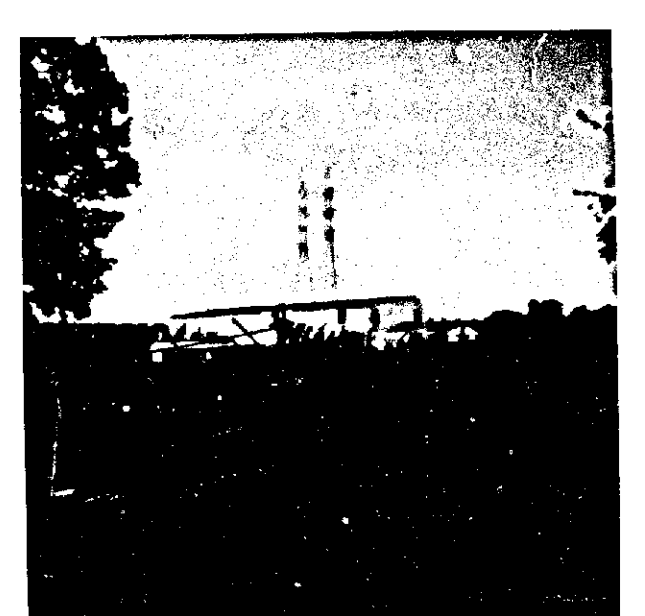
6 Prot ex 1



1 Prot ex 1



2 Prot ex 1



3 Prot ex 1



4 Prot ex 1

86-529-X

## BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 21st day of May, 1986.

Petitioner: Charles W. Laubach  
Petitioner's Attorney:

ARNOLD JABLON  
Zoning Commissioner

Received by: James E. Dyer

Chairman, Zoning Plans Advisory Committee

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
TO: Zoning Commissioner

Date: June 16, 1986

FROM: Norman E. Gerber, AICP  
Director, Office of Planning & Zoning

SUBJECT: Zoning Variance Petition No. 86-529-X Charles W. Laubach

In view of the adjacent residential areas to the south and east, this office does not believe the proposed use is an appropriate one at this location. Both the type of use and the number of automobiles that would be expected to use this facility would be incompatible with the adjacent residences. It is therefore requested that the petition be denied.

Norman E. Gerber, AICP  
Norman E. Gerber, AICP

NEG:JGH:bjs

CPS-008

## BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 19, 1986

Mr. Charles W. Laubach  
5852 N. Hazlewood Avenue  
Baltimore, Maryland 21206

Item No. 400 - Case No. 86-529-X  
Petitioner - Charles W. Laubach  
Special Exception Petition

Dear Mr. Laubach:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information of your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer  
James E. Dyer  
Chairman  
Zoning Plans Advisory Committee

JED:hac

Enclosures

cc: Mr. Ray Smith  
640 Craigs Corner Road  
Havre de Grace, Md. 21078

Arthur P. Leonard  
25 W. Courtland Street  
Bel Air, Maryland 21014

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

JUNE 2, 1986

Re: Zoning Advisory Meeting of May 13, 1986  
Item 400 CHARLES W. LAUBACH  
Location: W/S ROOSEVELT AVE. ITS' N. OF E UTRICHT AVE.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☐ There are no site planning factors requiring comment.
- ☐ A County Review Group Meeting is required.
- ☐ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☐ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☐ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☐ The access is not satisfactory.
- ☐ The circulation on this site is not satisfactory.
- ☐ The parking arrangement is not satisfactory.
- ☐ Parking calculations must be shown on the plan.
- ☐ If the property contains soils which are defined as wetlands, and development in or alteration of the floodplain is prohibited under the provisions of Section 22-59 of the Development Regulations.
- ☐ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☐ The Amended Development Plan was approved by the Planning Board on 5/13/86.
- ☒ Landscaping: Must comply with Baltimore County Landscape Manual, 8111 123-72. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The Certificate is required.
- ☐ The property is located in a traffic area controlled by a 100' level intersection as defined by 211 123-72. The 100' level intersection is not a traffic area controlled by a 100' level intersection as defined by 211 123-72. The 100' level intersection is not a traffic area controlled by a 100' level intersection as defined by 211 123-72.

ADJUDICATE OF CRG PLAN/PROCESS WAS GRANTED BY THE PLANNING BOARD ON MAY 13, 1986 - SEE PLANS 86-110 CRG

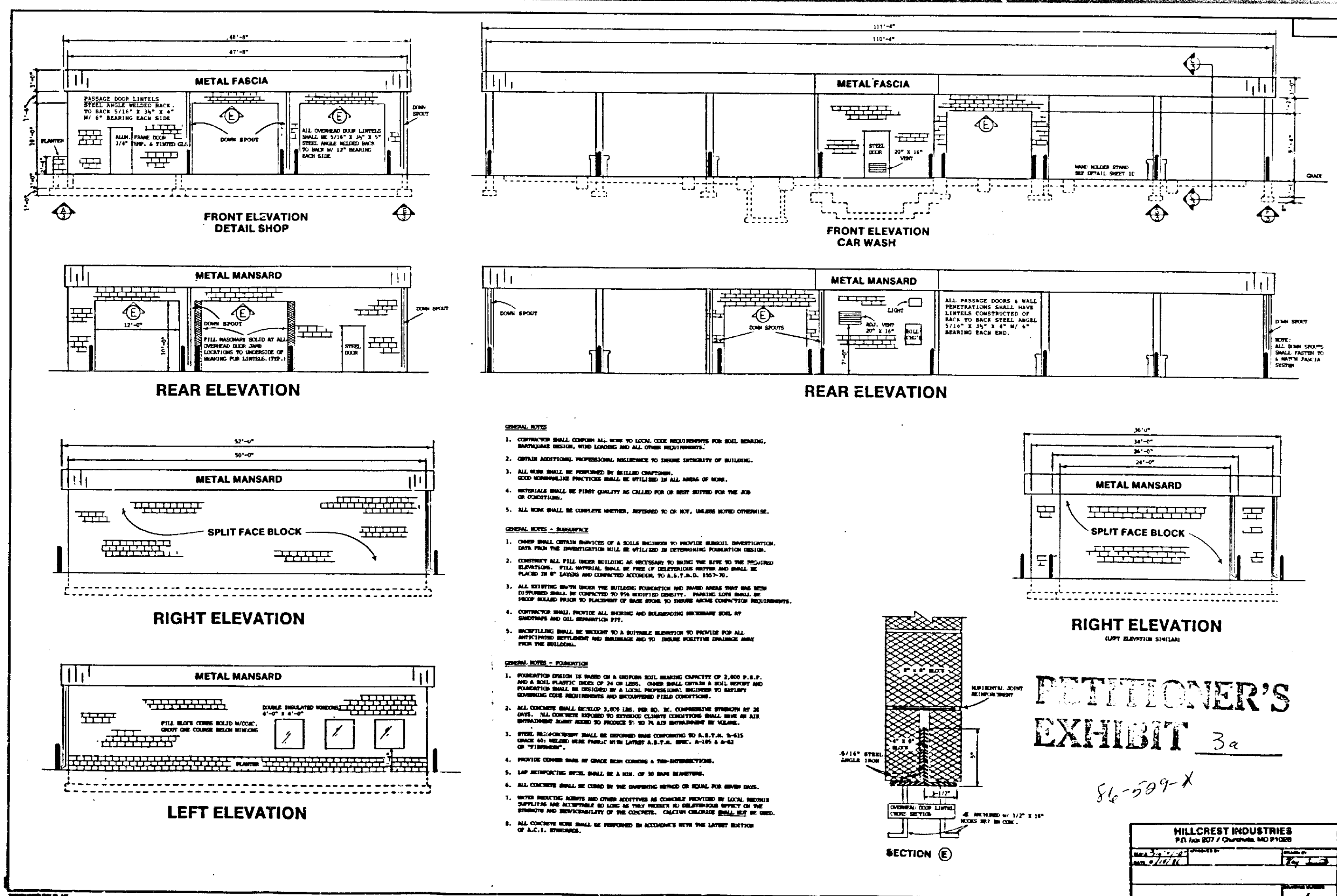
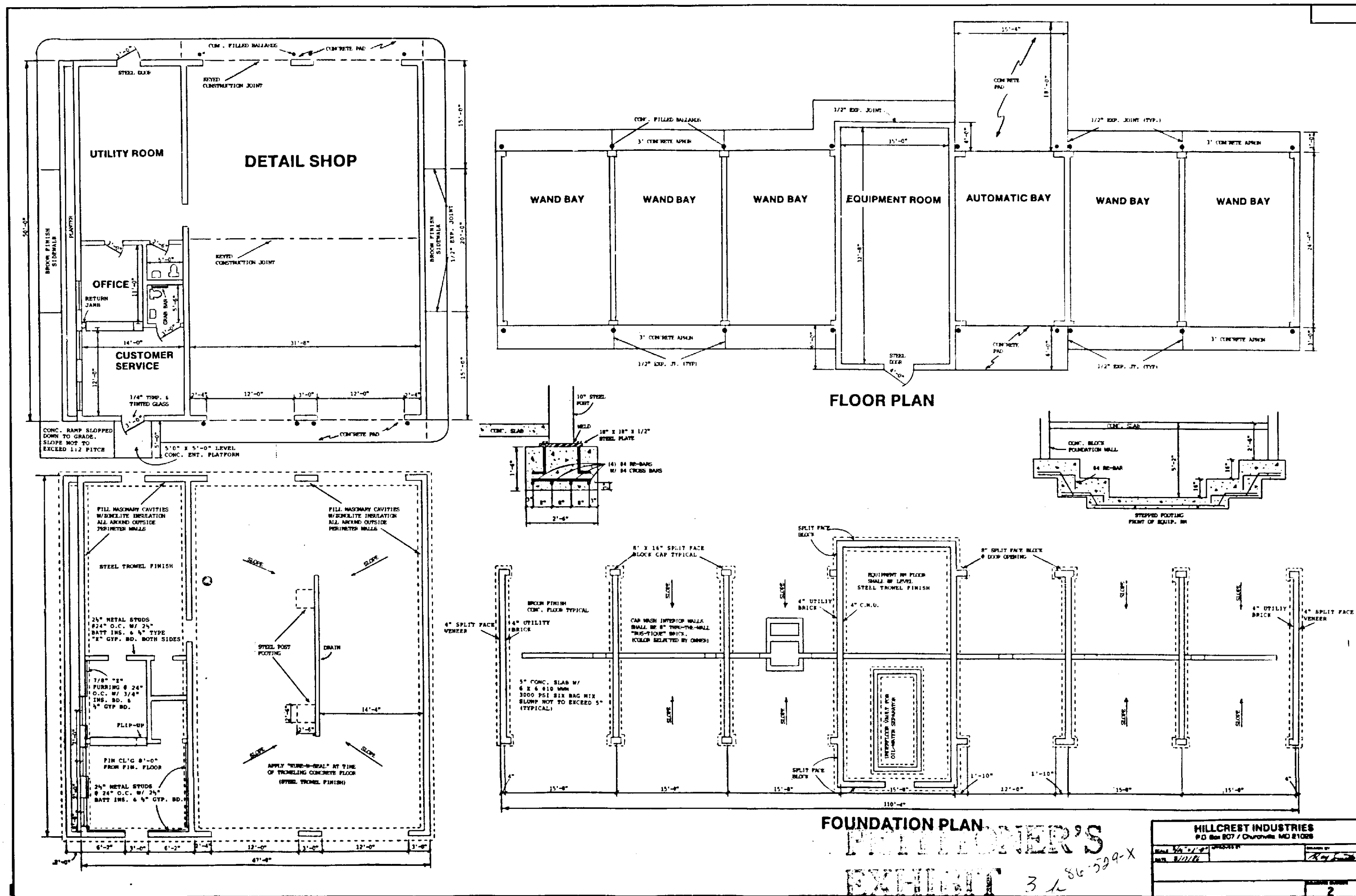
cc: James Howell

Eugene A. Zober  
Chief, Current Planning and Development

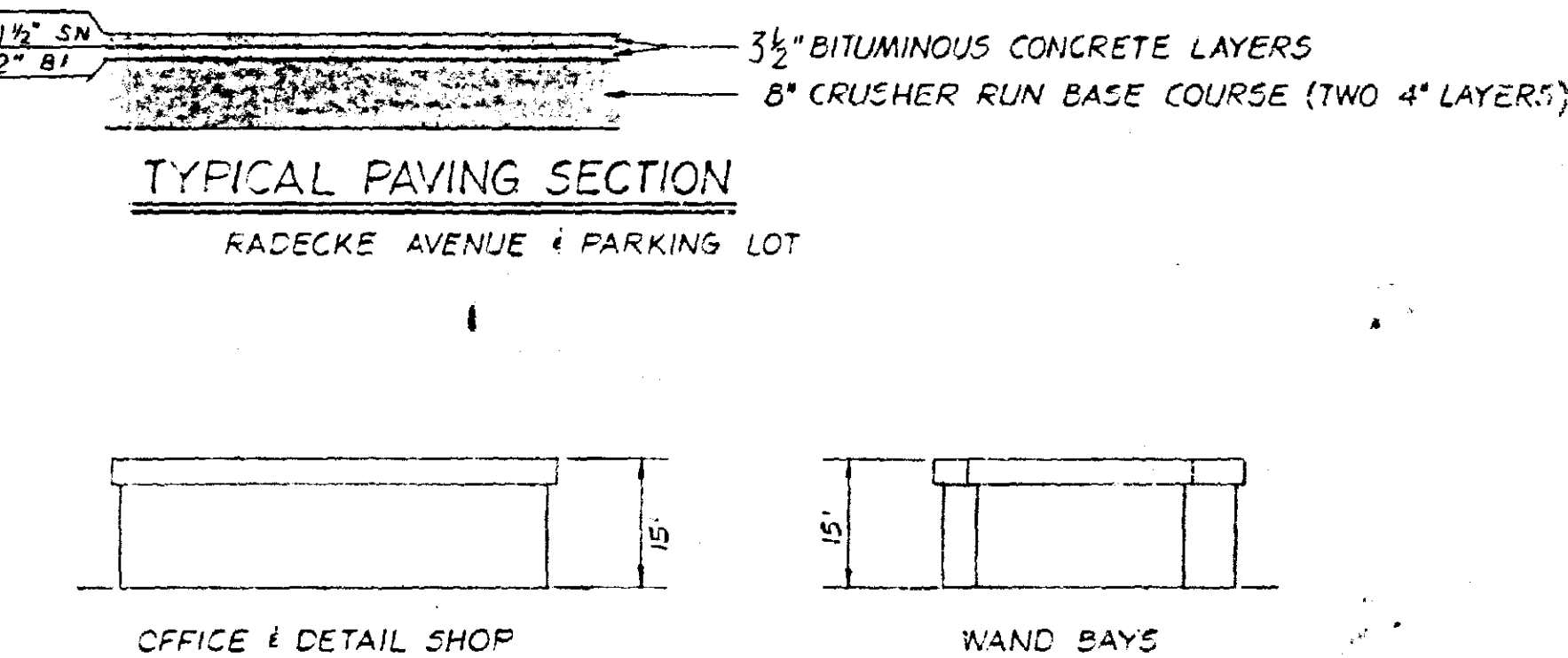


James Gold	5778 Utrecht Rd	866-5741
Bonnie Gold	5778 Utrecht Rd	866-5749
Susan Greenwood	5702 Utrecht Rd	866-5057
Kathy Williams	5689 Utrecht Rd	866-2745
Nora Williams	5689 Utrecht Rd	866-2745
Herman Williams	5659 Utrecht Rd	866-2745
Victoria A King	5774 Utrecht Rd	866-5728
Beilie King	5774 Utrecht Rd	866-5728
Susan King	5774 Utrecht Rd	866-5728
Jack King	5743 Cynthia Ter	866-2265
James Bif	15 Baymans Ct	866-1893
Hope Johnson	25 Baymans Ct	866-8635
James Jones	5753 Utrecht Rd	866-5376
Ruth Byron	5617 Ardmore Rd	866-6116
Ruth Blittman	5625 Ardmore Rd	866-4291
Megan Smart	5413 Cynthia Ter	866-6823
Robert B Persing	6214 Radecke Ave	866-5263
Janet Novak	5770 Utrecht Rd	866-5645
Judy Sirochman	6224 Radecke Ave	866-63563
Catherine Ecker	6212 Radecke Ave	866-2712
Ronald Jericho	5745 Utrecht Rd	483-2375
Maryland Jerechid	5745 Utrecht Rd	483-2375
Barry B. Jeff	5759 Utrecht Rd	866-5073
Dee O. Smith	6159 Radecke Ave	866-6953
DAVE SPENCE	5756 UTRICHT RD	866-3034

Prot. 2







HEIGHT TENT  
NO SCALE

PARKING DATA (ALL SPACES SIZE 9'x20')

NUMBER OF VEHICLES CAPABLE OF BEING PROCESSED

Wand Bays 12 minutes	= 3 cars per 1/2 hour per bay
5 Wand Bays X 3 cars per bay	= 15 cars per 1/2 hour
Automatic Bay 5 minutes	= 6 cars per 1/2 hour
TOTAL VEHICLES FOR CAR WASH	= 21 per 1/2 hour
Plus 10	= 31 SPACES REQ'D.
25 57	57 HANDICAPPED SPACES PROVIDED (12"x20")

DETAIL SHOP - Scheduled by appointment

- 2425 SQ. FT. 1 SPACE PER 300 SQ. FT. = 8.08 SPACES REQUIRED
- 9 SPACES PROVIDED INCLUDING 4 SPACES INSIDE BUILDING
- SPACES MARKED BY "A"

**PETITIONER'S  
EXHIBIT /**

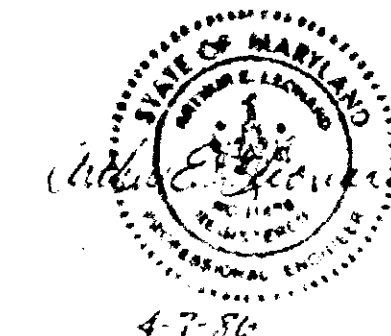
**PLAT TO ACCOMPANY PETITION  
FOR SPECIAL EXCEPTION**

1.053 ACRE PARCEL OF LAND  
14TH ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND  
SCALE: 1"=20'      DATE: 4-2-86

#400  
1 sign  
86-529-X

OFFICE COPY

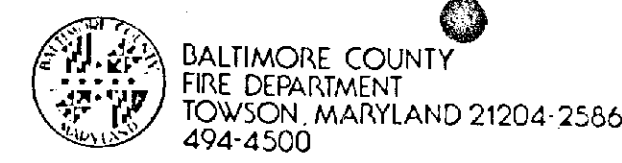
PREPARED BY:  
ARTHUR E. LEONARD, P.E.  
25 W. COURTLAND STREET  
BEL AIR, MD. 21014  
879-6105



4-7-8



Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations



PAUL H. REINCKE  
CHIEF

May 20, 1986

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Attention: Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Charles W. Laubach

Location: W/S Radecke Ave., 175' N. of centerline of Utrecht Avenue

Item No.: 400 Zoning Agenda: Meeting of 5/13/86

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

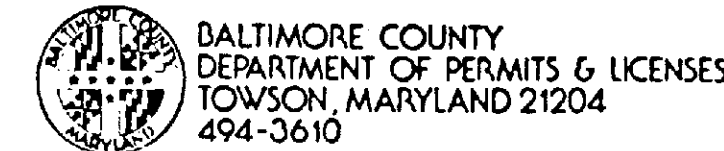
(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

( ) 7. The Fire Prevention Bureau has no comment at this time.

REVIEWER: Noted and Approved: John F. O'Neill  
Planning Group  
Special Inspection Division

/mb



May 19, 1986

TED ZALESKI, JR.  
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 400 Zoning Advisory Committee Meeting are as follows:

Property Owner: Charles W. Laubach  
Location: W/S Radecke Avenue, 175 feet N of c/l Utrecht Avenue  
District: 14th.

APPLICABLE ITEMS ARE CHECKED:

(X) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Sanitation and Age (A.S.C. #17-1) - 1980 and other applicable Codes and Standards.

(X) A building and other miscellaneous permits shall be required before the start of any construction.

( ) Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

(X) Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

( ) All Fee Groups except B-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 8'-0" to an interior lot line. Fee Group requires a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 101.1, Section 101.2 and Table 102. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

( ) The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.

( ) The requested variance appears to conflict with Section(s) \_\_\_\_\_ of the Baltimore County Building Code.

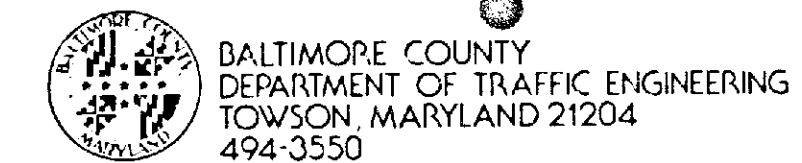
( ) When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use \_\_\_\_\_ to Use \_\_\_\_\_ or to Mixed Use \_\_\_\_\_. See Section 312 of the Building Code.

( ) The proposed project appears to be located in a Flood Plain, Tidal/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevation above sea level for the lot and the finished floor levels including basement.

J. Comments:

( ) These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

4/27/86



STEPHEN E. COLLINS  
DIRECTOR

June 18, 1986

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Item No. 400 -ZAC-  
Property Owner:  
Location:

Existing Zoning:  
Proposed Zoning:

Acres:  
District:

Dear Mr. Jablon:

To reduce congestion, this site should have only one access point.

Meeting of May 13, 1986  
Charles W. Laubach  
W/S Radecke Avenue, 175 feet N of centerline Utrecht Avenue  
B.L.  
Special Exception for a car care facility consisting of two buildings. One building to be a car wash with 5 self-service bays and one automatic bay. The other building dedicated to auto polishing and waxing. (Service Garage)  
1.053 acres  
14 Election District

Very truly yours,  
Michael S. Flanigan  
Traffic Engineer Associate II

MSF:lt

86-529-X  
14th

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Zoning Item # 400, Zoning Advisory Committee Meeting of May 13, 1986

Property Owner: Charles W. Laubach

Location: W/S Radecke Ave., 175' N of Utrecht Ave. District 14th

Water Supply Public Sewage Disposal Public

COMMENTS ARE AS FOLLOWS:

( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.

( ) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.

( ) A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.

( ) A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.

( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.

( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.

( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

SS 20 1082 (1)

Zoning Item # 400 Zoning Advisory Committee Meeting of May 13, 1986  
Page 2

( ) Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.

( ) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.

( ) Soil percolation tests (have been/must be) conducted.  
( ) The results are valid until  
( ) Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.

( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.

( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test

( ) is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.

( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.

( ) If submission of plans to the County Review Group is required, a Hydro-geological Study and an Environmental Effects Report must be submitted.

(X) Others: Petitioner will have to apply for a Wastewater Treatment System Permit. for additional information contact Gary Spies, Bureau of Utilities at 666-7530.

Ian J. Forrest, Director  
BUREAU OF ENVIRONMENTAL SERVICES

WWQ 2 4/86

County Board of Appeals  
Court House  
Towson, Md. 21204

RE: Petition Special Exception W/S of Radecke Ave.  
175-north of the C-1 of Utrecht Road  
14th Election District  
Case #86-529-X; also grant of special exceptions

Gentlemen:

This letter is to inform you that I, a resident of the Holland Hill Community, am opposed to the building of a Buff and Shine car wash facility on the property fronting on Radecke Ave. behind the Hazelwood Inn.

This portion of Radecke Ave. begins off of Hazelwood Ave., runs along the parking lot of the Hazelwood Inn, and dead ends in our community. It is an access road into and out of our community. It is a route taken by school buses transporting our children to and from elementary, middle, and high schools our children attend. It is also the route many of us walk to catch the bus on Hazelwood Ave. At the site of the property the road is narrow and has no sidewalks.

The Holland Hill Community is a row home community with many families with young children in residence. There are no rental properties in our community. We own our homes and care greatly about the neighborhood environment. The construction of a Buff and Shine car wash facility at the above mentioned site will in my estimation cause an overload of stress on the portion of Radecke Ave. which is utilized heavily by our community as an access road. I fear that this stress, in the form of more traffic, will lead to a safety hazard in our community as this is an already busy access road.

Again, I am highly opposed to construction of a Buff and Shine car wash facility on the property fronting on Radecke Ave. behind the Hazelwood Inn.

Sincerely,

Signed: Emily Cawthra

Address: 5430 Cypress Green

City-State-Zip: Baltimore, Md. 21206

P.S. Put your address on petition. Would you want a car wash in your residential community?

County Board of Appeals  
Court House  
Towson, Md. 21204

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Again, I am highly opposed to construction of a Buff and Shine car wash facility on the property fronting on Radecke Ave. behind the Hazelwood Inn.

Sincerely,

Signed: John J. Jackson

Address: 5711 Whitley Rd.

City-State-Zip: Baltimore, Md. 21206

RECEIVED  
COUNTY BOARD OF APPEALS  
JUN 30 1986

12-4-88



2-4-88



January 17, 1987

County Board of Appeals  
Court House  
Towson, Md. 21204

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14th Election District  
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Sincerely,  
Elmer M. Martin  
Signed  
5624 Utrecht Rd.  
Address  
Baltimore Md 21206  
City-State-Zip

RECEIVED  
COUNTY BOARD OF APPEALS  
JAN 27 A 9 45

January 17, 1987

County Board of Appeals  
Court House  
Towson, Md. 21204

RE: Petition Special Exception W/S of Radecke Ave.  
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14th Election District  
Case #86-529-X; also grant of special exceptions

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Sincerely,  
Patricia E. Winkler  
Signed  
5421 Cypress Ter.  
Address  
Baltimore Md. 21206  
City-State-Zip

RECEIVED  
COUNTY BOARD OF APPEALS  
JAN 27 A 9 44

January 17, 1987

County Board of Appeals  
Court House  
Towson, Md. 21204

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14th Election District  
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Sincerely,  
Alfred L. Kelly Jr.  
Signed  
5676 Hedden Rd.  
Address  
Baltimore, Maryland 21206  
City-State-Zip

RECEIVED  
COUNTY BOARD OF APPEALS  
JAN 27 A 9 44

January 17, 1987

County Board of Appeals  
Court House  
Towson, Md. 21204

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Again, I am highly opposed to construction of a Buff and Shine car wash facility on the property fronting on Radecke Ave. behind the Hazelwood Inn.

Sincerely,  
Mr. & Mrs. William Alvine  
Signed  
5671 Whitting Rd.  
Address  
Baltimore Md. 21206  
City-State-Zip

RECEIVED  
COUNTY BOARD OF APPEALS  
JAN 27 A 9 45

January 17, 1987

County Board of Appeals  
Court House  
Towson, Md. 21204

RE: Petition Special Exception W/S of Radecke Ave.  
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Case #86-529-X; also grant of special exceptions

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Again, I am highly opposed to construction of a Buff and Shine car wash facility on the property fronting on Radecke Ave. behind the Hazelwood Inn.

Sincerely,  
Miss J. E. Nicholas  
Signed  
5628 Whitty Rd.  
Address  
Baltimore Md. 21206  
City-State-Zip

RECEIVED  
COUNTY BOARD OF APPEALS  
JAN 27 A 9 44

Hillcrest Industries  
P.O. BOX 207 CHURCHVILLE, MD. 21028  
CHURCHVILLE (301) 734-4593 BALTIMORE (301) 879-9878

April 30, 1986

Mr. Arnold Jablon, Z.C.  
111 W. Chesapeake Ave.  
Towson, MD 21204

RE: Item 400  
Charles Laubach - owner

Dear Mr. Jablon:

I am requesting an early hearing because a delay in construction for this year would cause a hardship.

I am a small businessman who has made financial arrangements with a lending institution over the past year for the construction of a car wash by early Fall of 1986. In the event of delay, weather conditions common to later months would preclude construction of the buildings this year, since they are entirely of masonry construction. That would push the entire project into the Spring of next year.

Under these circumstances, financial arrangements presently negotiated with the lending organization would dissolve and construction would be seriously jeopardized. In addition costs would inevitably rise, endangering my ability to fund the project.

Thank you for your consideration in this matter.

Sincerely,  
Ray Smith  
Ray Smith

RS/ab

This case was set for 6/15/86 at 10:00am - Charles W. Laubach #400 86-529-X Baltimore

IN THE MATTER OF  
CHARLES W. LAUBACH - Petitioner  
(Raymond Smith -Contract Purchaser)  
W/S OF RADECKE AVENUE, 175' N  
OF THE C/L OF UTRECHT AVENUE  
RE: PETITION FOR SPECIAL  
EXCEPTION  
14th ELECTION DISTRICT

BEFORE  
COUNTY BOARD OF APPEALS  
OF  
BALTIMORE COUNTY  
CASE NO. 86-529-X

ORDER OF DISMISSAL

This is an appeal from the Order of the Deputy Zoning Commissioner dated July 22, 1986 granting the request for special exception with restrictions for a car care facility on property located on the west side of Radecke Avenue, 175 feet north of the center line of Utrecht Avenue in the 14th Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a letter of Dismissal of appeal filed February 4, 1987 (a copy of which is attached hereto and made a part hereof) from the Appellants/Contract Purchaser/Petitioner in the above-entitled case; and

WHEREAS, the said Appellants request that the appeal be dismissed as of February 4, 1987,

IT IS HEREBY ORDERED this 5th day of February, 1987 that said appeal be and the same is hereby DISMISSED.

COUNTY BOARD OF APPEALS OF  
BALTIMORE COUNTY

William T. Hackett  
William T. Hackett, Chairman

Lawrence E. Shmidt  
Lawrence E. Shmidt

Keith S. Franz  
Keith S. Franz

Hillcrest Industries  
P.O. BOX 207 CHURCHVILLE, MD. 21028  
CHURCHVILLE (301) 734-4593 BALTIMORE (301) 879-9878

Jan. 22, 1987

County Board of Appeals of Baltimore County  
Room 200 Court House  
Towson, Md. 21204  
Mr. Arnold Jablon  
Zoning Commissioner

Re: Appeal for SPECIAL EXCEPTION PETITION  
W/S of Radecke Ave.  
14th Election District  
Charles W. Laubach - Petitioner  
Raymond Smith - Contract Purchaser  
Case No. 86-529-X

Dear Mr. Jablon:

Please be advised that I wish to cancel my appeal scheduled for Tuesday February 10, 1987 at 10 a.m.

Sincerely,  
Raymond Smith  
Raymond Smith (Contract Purchaser)

RECEIVED  
COUNTY BOARD OF APPEALS  
JAN 27 A 9 45







116/11/11  
RECEIVED  
PETITION FOR SPECIAL EXCEPTION : EST. FEB-3 1986  
W/S of Radecke Ave., 175' : OFFICE Before The  
N. of the C/L of Utrecht : County Board  
Ave., 11th District : of Appeals  
Charles W. Laubach, Petitioner : Case No. 86-529X

SUBPOENA DUCES TECUM

Please issue Subpoena Duces Tecum and serve same on Michael Flanagan, Department of Traffic Engineering, Room 105 New Courts Building, Towson, Maryland 21204, or any other authorized person to be and appear before the County Board of Appeals in Room No. 218 Court House on February 10, 1987 at 10:00 a.m. and to bring with him any and all records, studies, documents, traffic counts and any other material, written or otherwise, having to do with the traffic congestion at the above location in connection with the above Petition for Special Exception. Said official is to appear and testify for the Holland Hills Improvement Association, protestant. This Subpoena Duces Tecum shall be deemed continuing until such time as this case is heard and shall be issuable as against any authorized person having custody of such records and documents.

*Ernest A. Sciascia*  
ERNEST A. SCIASCIA, Attorney for  
Holland Hills Improvement Association  
5937 Daybreak Terrace  
Baltimore, Maryland 21206  
(301) 866-8631

Mr. Sheriff:  
Please issue the above summons.

*Kate W. Dwyer*  
Administrative Secretary  
County Board of Appeals

COST \$ 15.00  
SUMMONED 2/11/86 1927  
RETURNED 19  
REASON NOT SERVED

CLERK OF BALTIMORE COUNTY  
EDWARD MALONE

PETITION FOR SPECIAL EXCEPTION  
W/S of Radecke Ave., 175' N of the c/l  
of Utrecht Ave.  
14th Election District  
Charles W. Laubach - Petitioner  
Case No. 86-529-X  
Date Appeal Filed: 8/7/86

SE--For a car care facility consisting of two buildings. One building to be a car wash with 5 self-service bays and one automatic bay. The other building dedicated to auto polishing and waxing. (service garage)

1. Copy of Petition
2. Copy of Description of Property
3. Copy of Certificate of Posting
4. Copy of Certificates of Publication
5. Copy of Zoning Advisory Committee Comments
6. Copy of Comments from the Director of Planning
7. Copy of Order to Enter Appearance
8. Copy of Order of Deputy Zoning Commissioner - 7/22/86 - GRANTED, Subject to restrictions
9. Protestants' Exhibits 1 to 3  
Protestants' Exhibit 1 - Six color photographs, undated and business card of Don Hachey, Cardinal Industries, Inc.  
[ORIGINALS SENT TO BOARD OF APPEALS - NO COPIES RETAINED IN ZONING FILE]  
Protestants' Exhibit 2 - Copy of Order of Deputy Zoning Commissioner of Baltimore County, dated 2/27/86, in Case No. 86-321-X; Copy of letter from Paul J. Feeley to Larry Kopp, dated 3/7/86; and Copy of letter from Norman E. Gerber to Larry Kopp, dated 3/21/86  
Protestants' Exhibit 3 - List of Protestants of Meeting of 6/25/86
10. Petitioner's Exhibits 1 to 3  
Petitioner's Exhibit 1 - Copy of Plat to Accompany Petition for Special Exception  
Petitioner's Exhibit 2 - Copy of Artist's sketch  
Petitioner's Exhibit 3a - Copy of plat of right, left, front and rear elevation  
Petitioner's Exhibit 3b - Copy of Plat of floor, foundation and detail plan
11. Copy of letter of Appeal of Appellants/Petitioner/Contract Purchaser, received on 8/7/86
12. Copy of Cash Receipt No. 021821, dated 8/12/86, re appeal and sign posting fee
13. Copy of letter to all parties from Arnold Jablon, Zoning Commissioner, advising of the filing of an appeal

86-529-X Continued

Mr. Raymond Smith  
Hillcrest Industries  
P.O. Box 207  
Churchville, Maryland 21028

Appellant/Contract Purchaser

Mr. Charles W. Laubach  
5852 North Hazelwood Avenue  
Baltimore, Maryland 21206

Appellant/Petitioner

Mr. Joseph Newberger  
Vice President  
Holland Hill Improvement  
Association, Inc.  
5623 Arnhem Road  
Baltimore, Maryland 21206

Appellee/Protestant

Mr. Gerald Robinson  
President  
Holland Hill Improvement  
Association, Inc.  
5650 Leiden Road  
Baltimore, Maryland 21206

Appellee/Protestant

Phyllis C. Friedman, Esquire  
Norman E. Gerber  
James Hoswell  
Arnold Jablon  
Jean M. H. Jung  
James E. Dyer  
Margaret E. du Bois, Appeals Clerk,  
Zoning Office

People's Counsel

Request Notification  
" "  
" "  
" "  
" "

Mr. Ernest A. Sciascia  
5937 Daybreak Terrace  
Balto., MD. 21206

Counsel for Holland Hills Imp. Ass.

- 2 -

10/22/86 - NOTIFIED THE FOLLOWING OF HEARING SET FOR TUESDAY, Febr 10, 1987 at 10 a.m.

Mr. Raymond Smith  
Mr. Charles W. Laubach  
Mr. Joseph Newberger  
Mr. Gerald Robinson  
Phyllis C. Friedman, Esq.  
Norman E. Gerber; James Hoswell  
Arnold Jablon; Jean M. H. Jung; James E. Dyer; Margaret E. duBois

ERNEST A. SCIASCIA

Attorney at Law

5937 DAYBREAK TERRACE  
BALTIMORE, MARYLAND 21206  
TELEPHONE 866-8631  
AREA CODE 301

October 27, 1986

County Board of Appeals of Baltimore County  
Room 200 Court House  
Towson, Maryland 21204

Attention: Mr. William T. Hackett, Chairman

Re: Case No. 86-529X

Dear Sir:

Please enter my appearance as attorney for Holland Hills Improvement Association, Inc., in the above entitled case.

Yours very truly,

*Ernest A. Sciascia*  
ERNEST A. SCIASCIA

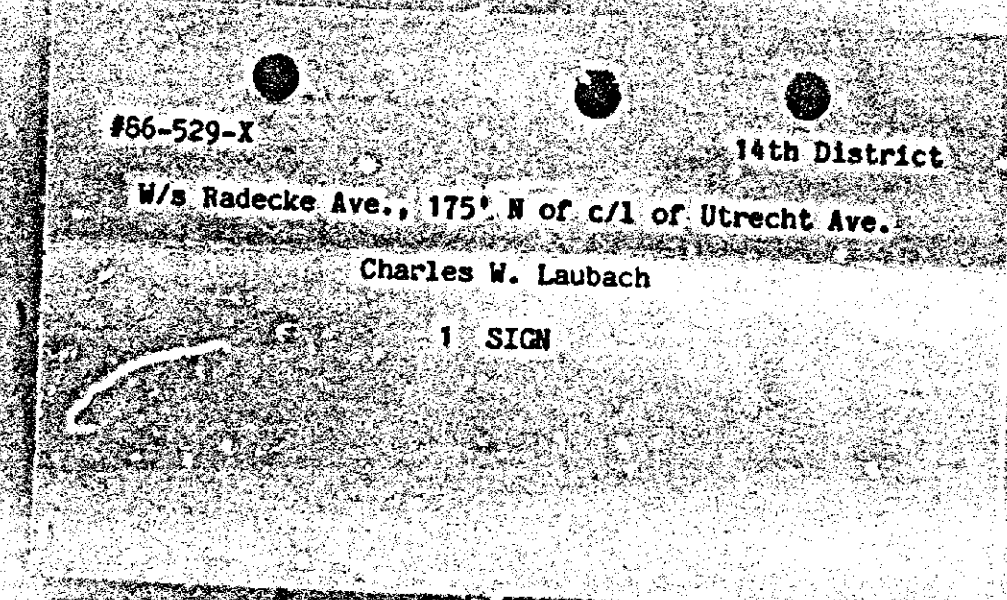
EAS/ms

cc: Mr. Gerald Robinson, President  
Holland Hills Improvement Assoc., Inc.  
5650 Leiden Road  
Baltimore, Maryland 21206

RECEIVED  
COUNTY BOARD OF APPEALS  
1986 OCT 29 P 11:21

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 14th Date of Posting: 8/22/86  
Posted for: Charles W. Laubach  
Petitioner: Charles W. Laubach  
Location of property: W/S Radecke Ave., 175' N of Utrecht Ave.  
Location of Signs: Along Radecke Ave. near S. E. modern  
Remarks: on property of Petitioner  
Posted by: [Signature] Date of return: 8/22/86  
Number of Signs: 1



PETITION FOR SPECIAL EXCEPTION  
W/S of Radecke Ave., 175' N of the c/l  
of Utrecht Ave.  
14th Election District  
Charles W. Laubach - Petitioner  
Case No. 86-529-X  
Date Appeal Filed: 8/7/86

ADDENDUM SHEET

9/2/86 The following material transmitted to Baltimore County Board of Appeals

1. Letter from Mrs. Bridget Hutchinson to Zoning Commissioner, dated 8/22/86
2. Letter from Robert Hutchinson to Zoning Commissioner, dated 8/22/86



**Hillcrest Industries**  
P. O. BOX 207 CHURCHVILLE, MD. 21028  
CHURCHVILLE (301) 734-4593 BALTIMORE (301) 879-9878

August 7, 1986

Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, MD 21204

RE: Appeal to imposed  
restriction - Case No. 86-529-X  
Partitioner: Charles W. Laubach  
Contract Purchaser: Hillcrest Industries

Dear Mr. Jablon

We wish to appeal the decision of the Deputy Zoning Commissioner regarding certain of the imposed restrictions.

Very truly yours

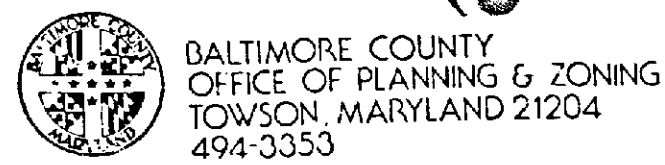
*Ray Smith*  
Ray Smith  
Contract Purchaser

Charles W. Laubach  
Partitioner

*Charles W. Laubach*  
5852 N. Hazelwood Ave.  
Baltimore, Md. 21206

2-4-88





ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

July 22, 1986

Mr. Charles W. Laubach  
5852 N. Hazelwood Avenue  
Baltimore, Maryland 21206

RE: Petition - Special Exception  
W/S of Radecke Avenue, 175' N of  
the C/L of Utrecht Ave., 14th  
Election District  
Case No. 86-529-X

Dear Mr. Laubach:

I have this date passed my Order in the above referenced Petition for  
Special Exception in accordance with the attached.

If you have any questions concerning this matter, please do not  
hesitate to contact this office.

Very truly yours,

*JEAN M. H. JUNG*  
JEAN M. H. JUNG  
Deputy Zoning Commissioner

JMH:jbj

Attachments

cc: Mr. Raymond Smith  
Hillcrest Industries  
643 Craig's Corner Road  
Havre de Grace, Maryland 21078

Mr. Joseph Newberger, Vice President  
Holland Hill Improvement Assoc., Inc.  
5623 Arnsheim Road  
Baltimore, Maryland 21206

People's Counsel



**Hillcrest Industries**  
P.O. BOX 207 CHURCHVILLE, MD. 21028  
CHURCHVILLE (301) 734-4593 BALTIMORE (301) 879-9878

April 30, 1986

PROPERTY DESCRIPTION  
1.053 acre parcel of land

BEGINNING for the same at a point on the West side of Radecke Avenue (100 feet wide)  
175 feet North of the centerline of Utrecht Ave. and thence running along a fence as  
now surveyed for the new lines of division through the lands of Robert E. Joy as  
described in a deed dated May 5, 1966 and recorded among the land records of  
Baltimore County in liber 4613 folio 585 the six following courses and distances  
viz: (1) South 74° 15' 35" West 316.98 feet to a fence post heretofore planted (2)  
North 01° 26' 45" East 188.10 feet to a fence post heretofore planted (3) North 87°  
17' 25" East 287.76 feet to the West side of said Avenue thence continuing the same  
course North 87° 17' 25" East 5.33 feet to a fence post heretofore planted (4) South  
06° 55' 10" East 114.98 feet to a fence post heretofore planted (5) South 74° 15' 35"  
West 6.51 feet to the place of beginning.

PETITION FOR SPECIAL EXCEPTION

14th Election District

Case No. 86-529-X

LOCATION: West Side of Radecke Avenue, 175 feet North of the Centerline  
of Utrecht Avenue

DATE AND TIME: Wednesday, June 25, 1986, at 10:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue,  
Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and  
Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for a car care facility consisting of  
one building being a car wash with five self-service bays and one  
automatic bay and the other building being a service garage for auto  
polishing and waxing.

Being the property of Charles W. Laubach, as shown on plat  
plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued  
within the thirty (30) day appeal period. The Zoning Commissioner will, however,  
entertain any request for a stay of the issuance of said permit during this period  
for good cause shown. Such request must be received in writing by the date of the  
hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER  
W/S of Radecke Ave., 175' N of  
the C/L of Utrecht Ave., 14th : OF BALTIMORE COUNTY  
Distr.ct

CHARLES W. LAUBACH, Petitioner : Case No. 86-529-X  
: : : : : :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the  
above-captioned matter. Notices should be sent of any hearing dates or  
other proceedings in this matter and of the passage of any preliminary  
or final Order.

*Phyllis Cole Friedman*  
Phyllis Cole Friedman  
People's Counsel for Baltimore County

*Peter Max Zimmerman*  
Peter Max Zimmerman  
Deputy People's Counsel  
Room 223, Court House  
Towson, Maryland 21204  
494-2188

I HEREBY CERTIFY that on this 10th day of June, 1986, a copy  
of the foregoing Entry of Appearance was mailed to Mr. Charles W. Laubach,  
5852 N. Hazelwood Ave., Baltimore, MD 21206, Petitioner; and Mr. Raymond  
Smith, Hillcrest Industries, 640 Craig's Corner Rd., Havre de Grace, MD  
21078, Contract Purchaser.

*Peter Max Zimmerman*  
Peter Max Zimmerman



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

June 17, 1986

Mr. Charles W. Laubach  
5852 North Hazelwood Avenue  
Baltimore, Maryland 21206

RE: PETITION FOR SPECIAL EXCEPTION  
W/S of Radecke Ave., 175' N of the c/l  
of Utrecht Ave.  
14th Election District  
Charles W. Laubach - Petitioner  
Case No. 86-529-X

Dear Mr. Laubach:

This is to advise you that \$53.00 is due for advertising  
and posting of the above property. This fee must be paid before an  
Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON  
THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by  
this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit  
to Zoning Office, Room 117,  
21204, before the hearing

Sincerely,

*Arnold Jablon*  
Arnold Jablon  
Zoning Commissioner

AJmed

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 021755

DATE June 23, 1986 ACCOUNT 01-615

AMOUNT \$ 63.80

RECEIVED FROM Hillcrest Industries

Posting & advertising fee 86-529-X

FOR Charles W. Laubach, Petitioner

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District 14th Date of Posting 5/31/86  
Posted for: Special Exception  
Petitioner: Charles W. Laubach  
Location of property: W/S Radecke Ave., 175' N of Utrecht Ave.  
Location of Sign: Facing Radecke Ave., across 2' E. side of property at intersection  
Remarks: \_\_\_\_\_  
Posted by: M. H. Jung Date of return: 6/6/86  
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 5, 1986

THIS IS TO CERTIFY, that the annexed advertisement was  
published in THE JEFFERSONIAN, a weekly newspaper printed  
and published in Towson, Baltimore County, Md., appearing on  
June 5, 1986

THE JEFFERSONIAN,

*Jason Andrew Wilson*  
Publisher

Cost of Advertising

24.75

Petition for  
Special Exception

14th Election District  
Case No. 86-529-X  
LOCATION: West side of Radecke  
Avenue, 175 feet north of the cen-  
terline of Utrecht Avenue.  
DATE & TIME: Wednesday, June  
25, 1986, at 10:30 a.m.  
PUBLIC HEARING: Room 106,  
County Office Building, 111 West  
Chesapeake Avenue, Towson,  
Maryland.

The Zoning Commissioner of Bal-  
timore County, by authority of the Zon-  
ing Act and Regulations of Baltimore  
County, will hold a public hearing:

Petition for Special Exception for a  
car care facility consisting of one  
building being a car wash with five  
self-service bays and one automatic  
bay and the other building being a ser-  
vice garage for auto polishing and  
waxing.

Being the property of Charles W.  
Laubach, as shown on the plat filed  
with the Zoning Office.

In the event that this Petition is  
granted, a building permit may be is-  
sued within the thirty (30) day appeal  
period. The Zoning Commissioner  
will, however, entertain any request  
for a stay of the issuance of said per-  
mit during this period for good cause  
shown. Such request must be received  
in writing by the date of the hearing  
set above or made at the hearing.

By Order Of  
Arnold Jablon  
Zoning Commissioner  
of Baltimore County

The Times

Middle River, Md., June 5, 1986

This is to Certify, That the annexed

was inserted in The Times, a newspaper printed  
and published in Baltimore County, once in each

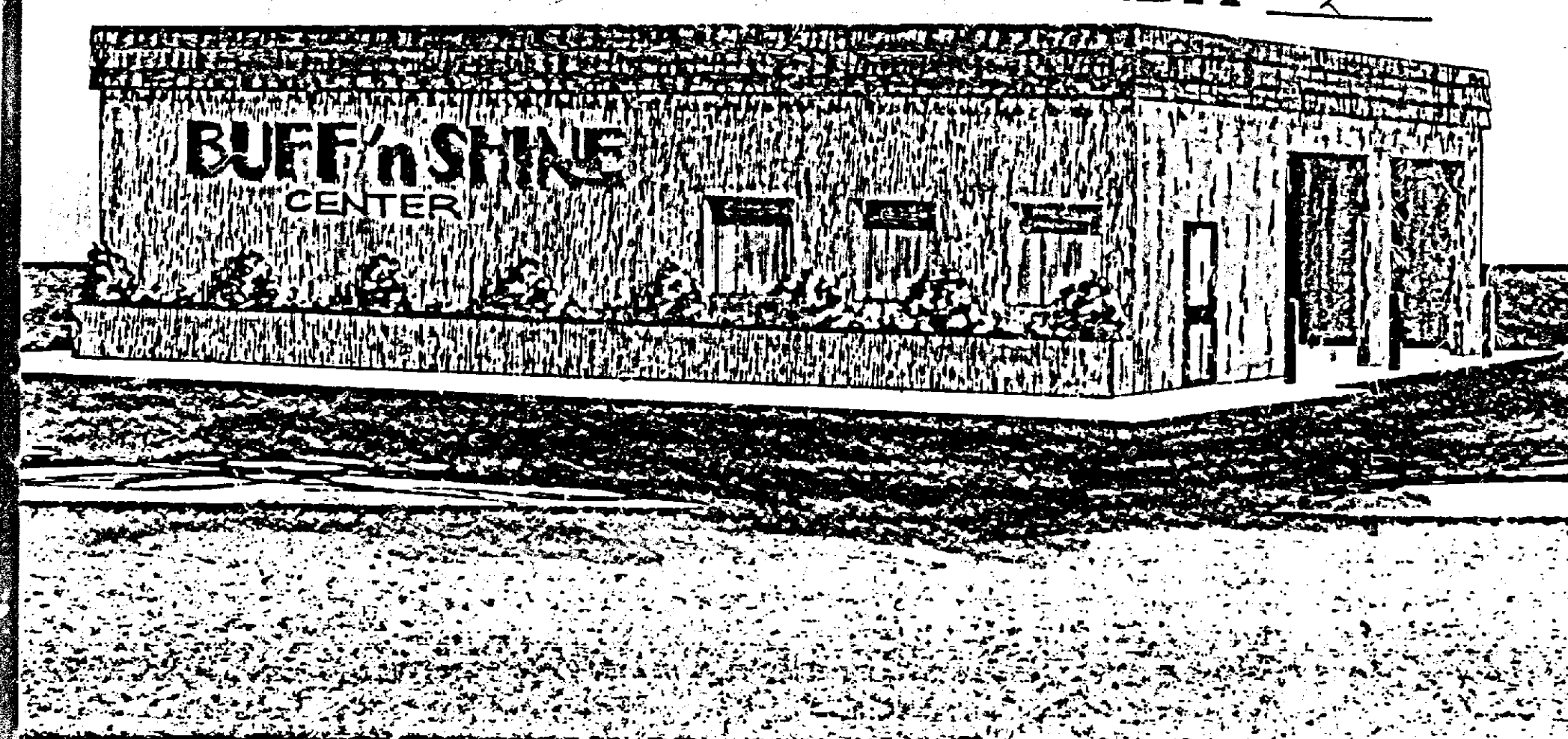
of one successive

weeks before the 5th day of

June, 1986

for the Publisher.

PETITIONER'S  
EXHIBIT 2



Mr. Charles W. Laubach  
5852 North Hazelwood Avenue  
Baltimore, Maryland 21206

May 27, 1986

NOTICE OF HEARING

RE: PETITION FOR SPECIAL EXCEPTION  
W/S of Radecke Ave., 175' N of the c/l  
of Utrecht Ave.  
14th Election District  
Charles W. Laubach - Petitioner  
Case No. 86-529-X

TIME: 10:30 a.m.

DATE: Wednesday, June 25, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake  
Avenue, Towson, Maryland

*Arnold Jablon*  
Zoning Commissioner  
of Baltimore County

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 019948

DATE 4/1/86 ACCOUNT 01-615

AMOUNT \$ 100.00

RECEIVED FROM HILLCREST INDUSTRIES

FOR FILING FEE FOR SPECIAL EXCEPTION ITEM 403

LAUBACH - PETITIONER  
8627-0000-1000018 83047

VALIDATION OR SIGNATURE OF CASHIER

2-4-88





BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

August 7, 1986

Mr. Ray Smith  
Hillcrest Industries  
P.O. Box 207  
Churchville, Maryland 21028

RE: APPEAL TO CASE NO. 86-529-X  
Petitioner: Charles W. Laubach  
Contract Purchaser: Hillcrest Industries

Dear Mr. Smith:

Enclosed is your Check No. 6271, in the amount of \$115.00, payable to Baltimore County, Maryland, concerning an appeal in this case. Please have the appropriate individual sign this check and return it to this office and we will be glad to process the appeal in this case.

Very truly yours,

*Margaret E. du Bois*  
Margaret E. du Bois  
Appeals Clerk  
Zoning Office

Enclosure

HILLCREST INDUSTRIES P. O. BOX 207 CHURCHVILLE, MD 21028		6271
AUGUST 7 1986		
PAY TO THE ORDER OF	BALTIMORE COUNTY, MARYLAND	\$115.00**
THE SUM IS DOLLARS		
maryland national bank CHURCHVILLE, MARYLAND 472		DOLLARS
FOR 86 529 X	*0006271* *055003272* 570 90 515 B*	



Hillcrest Industries  
P. O. BOX 207 CHURCHVILLE, MD 21028  
CHURCHVILLE (301) 734-4593 BALTIMORE (301) 879-9878

August 7, 1986

Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, MD 21204

RE: Appeal to imposed  
restriction - Case No. 86-529-X  
Partitioner: Charles W. Laubach  
Contract Purchaser: Hillcrest Industries

Dear Mr. Jablon

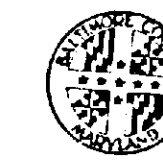
We wish to appeal the decision of the Deputy Zoning Commissioner regarding certain of the imposed restrictions.

Very truly yours,

*Ray Smith*  
Ray Smith  
Contract Purchaser

Charles W. Laubach  
Partitioner

*Charles W. Laubach*  
885 27 N. Howard Ave.  
Baltimore, Md. 21206



BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

August 12, 1986

Mr. Joseph Newberger  
Vice President  
Holland Hill Improvement  
Association, Inc.  
5623 Arnhem Road  
Baltimore, Maryland 21206

Phyllis C. Friedman, Esquire  
People's Counsel  
Room 223 Courthouse  
Towson, Maryland 21204

Mr. Gerald Robinson  
President  
Holland Hill Improvement  
Association, Inc.  
5650 Leiden Road  
Baltimore, Maryland 21206

RE: PETITION FOR SPECIAL EXCEPTION  
W/S of Radecke Ave., 175' N of the c/l of  
Utrecht Ave.  
14th Election District  
Charles W. Laubach - Petitioner  
Case No. 86-529-X

Ms. Friedman and Gentlemen:

Please be advised that on August 7, 1986, an appeal was filed by Appellants/Contract Purchaser/Petitioner, Mr. Raymond Smith and Mr. Charles W. Laubach, from the decision rendered by the Deputy Zoning Commissioner of Baltimore County in the above-captioned matter.

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 021821

of the appeal  
County Board of

DATE: 8/12/86 ACCOUNT: 86-529-X

AMOUNT \$ 115.00  
P.O. Box 207, Churchville, Md. 21028

RECEIVED FROM: Mr. Ray Smith, Hillcrest Industries

FOR: AND AS AID DEPT POSTING FOR DE CASE 86-529-X

VALIDATION OR SIGNATURE OF CASHIER

IN RE: PETITION - SPECIAL EXCEPTION  
W/S of Radecke Avenue, 175' N  
of the c/l of Utrecht Road  
14th Election District  
Charles W. Laubach  
Petitioner

BEFORE THE  
DEPUTY ZONING COMMISSIONER  
OF BALTIMORE COUNTY  
Case No. 86-529-X

The Petitioner herein requests a special exception to use the property at the above location to construct a car care facility consisting of two buildings. One building will be used as a car wash with five self-service bays and one automatic bay. The other building will be used for automobile polishing and waxing (service garage).

Testimony on behalf of the Petitioner indicated that the Contract Purchaser has spent two years in planning what he considers to be a high quality car wash and full-service detail shop for cleaning, buffing and shining automobiles. The four sides of the shop and the ends of the car wash building will be neutral or earth-tone, split-face block. The business will be located away from the heavy traffic of Hazelwood Avenue. The requirements of the Baltimore County Landscape Manual, including screening the perimeter of the site, will be met. It is his belief that replacing an old parking lot, which has been used as a dump, with an attractive business will be an asset to the community. In addition, washing a car at home requires twice the amount of water the business would utilize and that waste water is not treated. The noise level from high pressure water will be low and machinery noise will not extend beyond the buildings since a blower will not be used. Twenty-six more parking spaces than required by Baltimore County will be provided. Lights mounted 30 feet high, will be directed onto the property. Hours of operation are proposed to be from 8:00 AM to 10:00 PM, seven days a week with the possibility of a 24-

hour operation for the car wash at some point in the future. There will always be at least one attendant on site when the facility is in operation. The Contract Purchaser is willing to close off the area with some type of gate when the facility is not in use as well as to agree that the special exception shall be limited to facilities owned by Hillcrest Industries. No free-standing sign is proposed.

Testimony by a number of Protestants, including officers of the Holland Hill Improvement Association, Inc., indicated that there are currently traffic and safety problems that would be substantially aggravated if the special exception were granted. Radecke Avenue, with no sidewalks and a 26-foot wide paved roadway, is not proposed for widening. School buses, pedestrians and passing vehicles already have difficulty maneuvering along Radecke Avenue, one of only two access roads to the Holland Hill development, a high density but quiet neighborhood. Even the traffic in the 16-foot wide alley between the site and the residential neighborhood is heavy. Protestants are convinced that the proposed type of business is particularly objectionable and will cause a higher volume of traffic and more air and noise pollution than other businesses allowed in the zone by right or by special exception: i.e., the running of motors by waiting vehicles, radios, noise of water pressured hoses and machinery, etc., were some of the concerns expressed. In addition, a nearby existing car wash and a proposed new car wash were mentioned in connection with concern for the condition of the property should the business fail and the property be abandoned. The Office of the Director of Planning filed comments on the proposed project dated June 16, 1986 which stated: "In view of the adjacent residential areas to the south and east, this office does not believe the proposed use is an appropriate one at this location. Both the type of use and the number of automobiles that would be expected to use this facility would be

incompatible with the adjacent residences. It is therefore requested that the petition be denied."

Pursuant to the advertisement, posting of property and public hearing, and after due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, the requirements of Section 502.1 of the Baltimore County Zoning Regulations (BCZR) have been met, and the health, safety and general welfare of the community will not be adversely affected, and, therefore, the Special Exception should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 22<sup>nd</sup> day of July 1986, that the herein request for a special exception to construct a car care facility in accordance with the plan submitted, prepared by Arthur E. Leonard, P.E., dated April 7, 1986 and identified as Petitioner's Exhibit 1, is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

- Hours of operation shall not extend beyond 8:00 AM to 8:00 PM, Monday through Saturday. At all other times, access to the site shall be prevented by chains or gates at the entrances or other suitable barricades.
- At least one attendant shall be on the property at any time any portion of the facility is in use.
- All work on vehicles shall be within the car wash bays or within the detail shop behind closed doors. No blower shall be used and noise shall not extend beyond the buildings.
- A sidewalk shall be constructed along the frontage of the site.
- A 12-foot wide strip of landscaping shall be provided along the entire southern property line and along the western property line for a distance of 100 feet north from the southwest corner of the site. Any perimeter fencing shall be laminated black chain link fencing. Landscaping and screening shall be approved by Current Planning which may approve wood strips in the chain link only on a temporary basis.

- If the car care facility is not in actual and continuous operation for a period exceeding twelve consecutive months, it shall be presumed to be abandoned and the use and special exception terminated. The premises (including landscaping) shall be continuously maintained whether it is in operation or abandoned.

*Jeannette M. H. Jung*  
Deputy Zoning Commissioner  
of Baltimore County